

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



KARNATAKA RENEWABLE ENERGY DEVELOPMENT LIMITED (A Government of Karnataka Undertaking)

Karnataka Renewable Energy Development Limited (KREDL) was established in 1996 as a nodal agency of the Government of Karnataka to facilitate the development of non-conventional energy sources in the state. It is registered under the Companies Act, 1956.

The primary objective of the company is to develop both on grid and off grid RE power projects to supplement the conventional energy projects in the state. Besides, KREDL co-ordinates with all agencies both at state level and national level to promote Renewable Energy in the state.

At present KREDL is concentrating on the development of renewable energy sources such as small hydro, wind, biomass, cogeneration in sugar factories and solar through private investment in the state.

Government of Karnataka in its Notification No.DE 22 PSR 2002 dt. 13.5.2004 designated Karnataka Renewable Energy Development Limited (KREDL) as "The Designated Agency" to co-ordinate, regulate and enforce the provisions contained in the Energy Conservation Act within the State of Karnataka. The Government authorized KREDL to establish a separate department within the organization for implementing the provisions of the energy conservation act and to take necessary steps for capacity building programs in KREDL with the assistance of Bureau of Energy Efficiency (BEE) established by the Government of India for the effective implementation of the Energy Conservation Act in the State.

KREDL proposes to reconstitute Panel of Advocate/Law Firm. Sealed expression of interest (EOI) is invited in prescribed format from interested Advocate/Law Firm for empanelment.

The practicing advocates who are registered with Bar Council of India/State Bar Council are eligible for empanelment. The qualification, experience, schedule of fees, other terms and condition and the application format in which the application has to be made, have been attached.

The Advocates who are on the existing panel of KREDL shall cease to be on the panel of KREDL after new panel is finalized against this notice. Therefore, they may also apply afresh in response to this notice.

Eligible practicing advocate must submit application in the format prescribed (in Annexure "A" enclosed herewith), along with all supporting documents in a sealed envelope to :

THE MANAGING DIRECTOR,
KARNATAKA RENEWABLE ENERGY DEVELOPMENT LIMITED
(A Government of Karnataka Undertaking)
No. 39, Shanthi Gruha, Bharath Scouts & Guides Building,
Palace Road, BANGALORE – 560 001
Ph: 22208109/22207851 Fax: 22257399
Website : <http://www.kredlinfo.in>

The envelope should be superscripted as following:- "Application for Empanelment of Advocates for KREDL". The last date of receiving Applications in the prescribed format along with supporting documents is 31.05.2021. Application for empanelment at KREDL does not confer any right/ assurance whatsoever, to an applicant that he/ she will be empanelled on the panel of KREDL. Letters to advocates confirming their empanelment will be issued by KREDL separately.

Sd/-
CCF and CAO
KREDL

GUIDELINES FOR EMPANELMENT OF ADVOCATES

Following guidelines are designed to provide and regulate the manner and procedure for empanelling the advocates to represent and assist KREDL before various courts and for regulating the referrals of the cases and payment of fee/remuneration. These guidelines shall supersede all existing instruction in this regard, if any, and is subject to change without assigning any reason.

1. ELIGIBILITY OF EMPANELMENT

Before filling the application form, the applicants are advised to carefully read and follow the eligibility criteria, instructions and terms & conditions for empanelment of Advocates in KREDL mentioned herein below:

Qualification and experience for conducting cases in Hon'ble High Court / Hon'ble KEREC/ District courts / Lower Courts and Appellate Tribunals.

- i. Be enrolled / registered as an advocate with the State Bar Council.
- ii. Have a minimum, relevant experience of Ten years of handling Civil, Criminal, Service, Labour, Arbitration matters and other cases before High Court/KEREC with a fair knowledge of Land Revenue and Land Reforms Acts and Labour laws

2. TENURE OF EMPANELMENT

The initial empanelment will be for the period of one year. Performance of empanelled advocates shall be reviewed at regular intervals for continuance in the panel of Advocate.

3. PAYMENT OF FEE AND OTHER CONDITIONS

- i. The fee payable to the Advocates shall be governed by the schedule of fee annexed as Annexure 'B' with these guidelines as amended from time to time.

- ii. The Competent Authority shall have the right in exceptional cases to approve the payment of a higher fee than the fee mentioned in the schedule keeping in view the importance of the matter and the efforts put in by the advocate in a particular case.
- iii. No retainer fee shall be paid to any panel Advocate merely because such advocate has been empanelled.

4. PROCEDURE FOR EMPANELMENT

- a. The applicant advocate must apply in the format prescribed by the KREDL only. No other format will be entertained.
- b. Any application received after the last date prescribed in the advertisement shall not be entertained.
- c. No applicant advocate shall be called for interview/interaction unless he/she satisfies the eligibility conditions and is shortlisted for the same.
- d. Depending upon the requirement and number of applications received, KREDL reserves the right to be shortlist the candidates to be called for interview/interaction and to be empanelled.
- e. Merely fulfilling the eligibility criteria will not confer any right on an applicant advocate to be called for interview/interaction and to be selected.
- f. The decision of the competent authority regarding short listing and selection of the candidates shall be final.
- g. Canvassing in any form shall be treated as a disqualification. The candidature of such applicants shall be cancelled forthwith.
- h. The applicant advocate shall bring original documents at the time of interview.
- i. Letter to the applicant advocates confirming their empanelment will be issued by KREDL separately.

5. DUTIES OF THE EMPANELLED ADVOCATES:

- a. The Advocate shall not advise any party or accept any case against the KREDL in which he/she has appeared or is likely to be called upon to appear for or advise which is likely to affect or lead to litigation against the KREDL.
- b. Timely appearance of the Counsel to contest the cases for KREDL in the court is a must. His/her absence in the Court, without any reasonable ground and notice in advance, will not be accepted.
- c. KREDL sends the information to the panel advocates through email regarding entrustment of a case and after receiving the e-mail, it is duty of the panel Advocates to collect the brief/copy of petition along with assignment letter from the concerned office of KREDL at the earliest.
- d. KREDL is free to engage any advocate of its own choice and an empanelled Advocate shall make no claim that he/she alone should be entrusted with KREDL's legal matter(s).
- e. Refusal by any advocate to accept any work without any reasonable cause (e.g. on grounds of conflict of interest) may entail removal of such advocate from the panel, forthwith without waiting for the empanelment period to expire.
- f. The advocates shall accept the terms and conditions of the empanelment as determined by the KREDL from time to time.
- g. In order to ensure that there is effective check on the cases being conducted, the Advocates on the panel must report the status of the cases after each date of hearing. Failure to submit status report will be a ground for removal of the name of the lawyer concerned from the panel.
- h. In cases where on the request of the Energy Department, GoK have also to be represented, no extra fee shall be paid to the advocate.
- i. If required render all assistance to special or senior Counsel engaged in a particular case before the High Court and other judicial bodies.

- j. Keep KREDL informed and updated on all-important developments in the designated cases, dates of hearing, order of the court on the date of its pronouncement, supplying copy of orders /judgment etc.
- k. Furnish statement about the cases represented by him/her before the concerned courts or any other authority and their outcomes.
- l. When any case attended by him/her is decided against the Organization, the Advocate concerned must give considered opinion regarding the reasons for such adverse order and the advisability of filing an appeal from such a decision not later than 5 working days of the order (kuchha copy).
- m. 30% of the fees payable to the counsel shall be deducted if the certified copy of the judgment is not handed over to the concerned section of KREDL within five days (excluding the time taken by the court in preparation of the copy) from the date of judgment.

6. REMOVAL FROM PANEL:

- a. KREDL reserves the right to terminate the empanelment of a Advocate/Counsel with one month's notice in writing without assigning any reason. The Advocate/counsel may also withdraw his services from the Organization by serving one month's notice. Empanelment shall be liable to be cancelled due to occurring of any of the following disablements on the part of the Advocate.
- b. Giving false information in the application for empanelment;
- c. Failing to attend the hearing of the case without any sufficient reason and/are prior information;
- d. Not acting as per KREDL's instructions or going against specific instructions;
- e. Threatening, intimidating or abusing any of the KREDL's Employees, officers, or representatives ;

- f. Passing on information relating to KREDL's case on to the opposite parties or their advocates or any third party which is likely to cost any damage to the KREDL's interests;
- g. Giving false or misleading information to the KREDL relating to the proceedings of the case;
- h. Seeking frequent adjournments or not objecting the adjournment moved by other party without sufficient reason;
- i. Frequent absence from the Court proceeding even if "pass over" or "proxy" is obtained by an advocate.

ANNEXURE - 'A'

Application for Empanelment as Advocate/Solicitor/Law Firm

1. Name of the Advocate /Solicitor/ Law Firm:

2. Year of Establishment of the Law Firm: (With documentary evidence)
 - (i) In case of Company, a certified copy of the certificate of incorporation.
 - (ii) In case of Partnership Firm, a certificate from CA certifying the date of registration along with a certified copy of the Partnership Deed.

3. Years of experience as an Advocate/Solicitor: (Enrolment details)

4. Courts/Forums/Tribunals where practicing:

5. Address Details:
 - (a) Office:

 - (b) Residence:

6. Contact No. of Advocate/Solicitor/Law Firm with Email Id.:

7. Name(s) of the Managing Partner(s) (For Law Firms only):

- 8 Annual Turnover for past three financial years:

(FY 19-20, 18-19, FY 17-18
(To be supported by a certificate from the Auditor of the Firm)

9. Details of Following:

(i) GST No.

(ii) PAN No:

10 Names & Experience details/Profiles of the Partner & other team members:

(i) Partner

(ii) Sr. Associate(s)

(iii) Associate(s)

11. Areas of Specializations (Maximum Five as per categorization)

12. Details of reported judgments settling legal preposition before SC/HC

13. Details of empanelment in Private Companies: (submit proof)

14. Details of empanelment in PSUs (Excluding Banking & Insurance Sector): (submit proof)

15. Details of office/chambers in Karnataka: (submit proof)

Declaration

I/We hereby declare that I/We have verified the details indicated above and also confirm that all the information submitted is true to the best of my /our knowledge.

(Signature _____)

Name: _____)

(Advocate/Managing Partner)

(With seal)

ANNEXURE - 'B'

(A) **Fees in case of matters before Hon'ble KERC :**

<u>Particulars</u>	<u>Amount in Rs.</u>
Professional Charges-Filing Vakalath & Preparation of objection	5,000/-
Miscellaneous Expenses	1,000/-
Total Appearances charges (for 3 times or more days of appearance Rs 2000/- Per case)	6,000/-
Total amount	12,000/-

(B) **Fees in case of matters before Hon'ble High Court of Karnataka :**

<u>Particulars</u>	<u>Amount in Rs.</u>
Professional Charges-Filing Vakalath & Preparation of objection	13,000/-
Miscellaneous Expenses	2,000/-
Total amount	15,000/-

(C) **Fees in case of Appellate Tribunal for Electricity in Delhi:**

<u>Particulars</u>	<u>Amount in Rs.</u>
Professional charges which covers filing of vakalath, statement of objection & appearance	50,000/-
Total Appearances charges (for four times Rs 25000/- Per case)	1,00,000/-
Total amount	1,50,000/-

