

EXPRESSION OF INTEREST (EOI)

FOR

EMPANELMENT OF SOLICITOR/LAW FIRMS

National Horticultural Board
Ministry of Agriculture & Farmers Welfare
Government of India
Plot No. 85, Sector 18, Institutional Area,
Gurugram – 122015 (Haryana)

1. INVITATION OF PROPOSAL

The National Horticulture Board (NHB) is an autonomous organization under the administrative control of Ministry of Agriculture and Farmers Welfare, Government of India and Registered as a Society under the Haryana Registration & Regulation of Societies Act, 2012, with its Headquarters at Gurugram.

The main objectives of the board are to promote integrated development of horticulture, to help on coordinating, stimulating and sustaining the production and processing of horticulture crops and to establish a sound infrastructure in the field of production, processing and marketing with a focus on post-harvest management and cold chain development to reduce losses.

2. OBJECTIVES

The Board intends to prepare a fresh panel of Solicitor/Law firms for rendering legal services for recovery of loans/subsidies, tax matters, EPFO/Pension matters, personnel and labour related matters, other subsidy related cases etc. to pursue and defend all legal cases on behalf of the Board and to render all legal services that may be required by the Board from time to time. The Solicitor/Law firms are required to provide above services throughout the country.

3. SCOPE OF WORK

Scope of work includes but not limited to:

- I. To pursue and defend all legal cases on behalf of the Board in appropriate courts of Law/Other authorities in various parts of the country, wherever and whenever assigned by NHB, pertaining to various activities, Schemes etc. of NHB.
- II. To prepare and file cases of NHB with the appropriate authorities relating to various issues such as recovery of loans/subsidies, tax matters, EPFO/Pension matters, personnel/establishment and labour related matters, other subsidy related cases etc.
- III. To render appropriate advice and to suggest strategy to NHB for recovery of over dues/defaults committed by the borrowers, beneficiaries etc.
- IV. To examine advice and assist NHB in drafting legal notices, reply of legal notices, drafting of applications/petitions etc.
- V. To do legal vetting of orders, decisions, concept papers, bidding/tender documents, undertaking, indemnity bonds, Agreements/Contacts/MOU/Deeds etc.,
- VI. Any other work assigned by NHB involving financing, legal and statutory implications.

4. ALLOCATION OF ASSIGNMENTS

Allocation of various assignments/specific job responsibilities to the empanelled Solicitor/Law firms keeping in mind their professional skills etc. would be the sole discretion of NHB. Further, NHB shall have sole discretion to exclude the name(s) of the Solicitor/Law firm from the panel without assigning any reason in case the performance of the any Solicitor/Law firm(s) is not found satisfactory by NHB in its own judgment during review at any time. EMD will be forfeited in case it is found that Solicitor/Law firm is acting against the interest of the Board.

The above professional services will be provided by the Solicitor /Law firms according to their area of expertise and within the applicable rules & regulations and professional code of conduct & guidelines of the professional bodies/association /institution prescribed for their members. However, it will be the duty of the Solicitor/ Law firm to respond to NHB on priority, whenever required by the Board.

The Decision and the views of NHB in the above matters will be considered as final.

5. ELIGIBILITY CRITERIA

- i) The Solicitor/Law Firm must be registered under the Statutes of India.
- ii) The Solicitor /Law Firm should have their permanent office with required infrastructure for taking up assignment as per job requirement.
- iii)The Solicitor /Law Firm should be familiar with various branches of law especially those concerning Civil Laws, Constitutional Laws, Service Laws, Labour Laws, Contractual Laws, Commercial Laws, Tax Laws, Property Laws, Cyber Laws, Consumer Laws, IPR Laws, Banking and DRT, Criminal Laws, Arbitration etc.,
- iv)The Solicitor/Law Firms should have relevant experience of at least ten years out of which five years' experience in handling similar assignments with Govt. Departments/ PSU for each of the last five years.
- v) The Solicitor/Law Firm should have annual turnover in terms of professional receipts of Rs. 1.00 crore during each of last three financial years i.e. 2021-22, 2022-23 and 2023-24 (copy of ITR & Audited Annual Accounts to be attached)
- vi)The Solicitor/Law Firm should have capability, as may be evident from their past experience in similar work relating to various legal matters.
- vii)The Solicitor/Law firm must not have been debarred by Department /PSU of Central and State Governments.

6. SELECTION PROCEDURE

- I. The duly constituted Committee of National Horticulture Board will evaluate the proposal/applications received for empanelment on technical grounds.
- II. Preliminary scrutiny of the proposals for eligibility will be done to determine whether the applicants meet the eligibility criteria specified in the document.
- III. Short-listing of the Solicitor/Law Firms will be done strictly on the basis of the scrutiny and evaluation of the information furnished in the application and the supporting documents as defined in the eligibility criteria.
- IV. The evaluation process would consider whether the Solicitor/Law Firms have requisite prior experience and expertise to address NHB's requirements and objectives. The evaluation process will gauge the extent of thought process that has gone behind the preparation of the EOI response, the degree of clarity, understanding of NHB's stated objectives and the level of commitment exhibited by the applicant Firms.
- V. The Solicitor/ Law Firms, who accepts the fee structure prescribed by NHB for payment to Solicitor/Law Firms in different Courts and meets the other eligibility criteria, would be considered for empanelment on signing of an engagement between the short listed Solicitor Firms and NHB.

7. TENURE OF EMPANELMENT

The panel of the Solicitor /Law Firms shall be valid for a period of 03 years, to be reviewed every year to assess the performance of the Solicitor/Law firms on panel. The renewal on yearly basis will be at the sole discretion of NHB based on performance assessment. In case, the Performance is not found satisfactory, the concerned Solicitor/Law Firm would not be a part of the panel.

NHB also reserve right to curtail the period of empanelment depending upon administrative and implementation requirements as well as unsatisfactory performance.

8. GENERAL INSTRUCTIONS

- i) Mere submission of application and fulfilling of eligibility criteria does not entitle the Solicitor /Law Firm for empanelment.
- ii) NHB reserves the right to modify/relax the eligibility criteria in case sufficient no of eligible applications are not received.
- iii) NHB reserves the right to summarily reject the applications for any of the reasons like (a) not submitted in the prescribed format or (b) do not meet any of the eligibility criteria or (c) not accompanied with requisite documents/information/EMD or (d) incomplete in any respect or (e) not signed by the applicant or by his/her authorized representative on each page, without assigning any reasons thereof.
- iv) NHB reserves the right to verify/crosscheck the information furnished/submitted by the Solicitor/Law firm.
- v) Mere empanelment of the Solicitor/Law Firm to NHB does not guarantee any award of work/assignment by NHB.
- vi) The Solicitor/Law Firms already empanelled with NHB shall also have to apply afresh to be considered for new empanelment. From the date the new panel of Solicitor/Law Firms becomes effective, the existing panel of Solicitor/Law Firms shall expire automatically.
- vii) The empanelment of Solicitor/Law Firms will be at the sole discretion of NHB.
- viii) NHB reserves the right to cancel/defer the entire process of empanelment of Solicitor/Law firms without any notice or assigning any reasons whatsoever.
- ix) The proposal should be completed in all respects including submission of all the required technical particulars/ commercial detail / documents about experience, infrastructure etc. and documents mentioned in the eligibility criteria.
- x) Managing Director, NHB reserves the right to change any or all the provisions of the EOI document and such changes will be intimated to all the participating Solicitor/Law firms.
- xi) Managing Director, NHB reserves the right to reject any or all the EOI offers at his sole discretion at any stage without assigning any reason and further reference to applicants.
- xii) Cases already entrusted to advocate/ Firm prior to date of the commencement of new panel and pending before Courts of Law has/ have to be handled at existing schedule of fee and expenses even if they are not empanelled under this EOI.
- xiii) The Solicitor/Law Firm shall keep confidential all the information relating to work or to any other aspect of Board's business that comes into its possession as a result of or in connection with its work under this work.

- xiv) Refusal by any empanelled Solicitor/Law Firm to accept any work otherwise than on grounds of conflict of interest may entail removal of such firm from the panel. Similarly, no firm as long as its name is on the panel shall contest any matter against the NHB during the continuation of empanelment with NHB and one year after the termination.
- xv) The Board will also have the liberty to engage any Advocate(s) / Legal Counsel(s) / Law Firms other than those empanelled, if the circumstances so warrant and in such situation, an empanelled Solicitor/Law firm(s) shall not make any claim or objection for any reason whatsoever.
- xvi) The allocated work shall be executed as per the direction and to the satisfaction of the Board. Decision of the Managing Director of the Board will be the final and binding in case of work requirement.
- xvii) Settlement of Disputes by Arbitration: All Questions and disputes relating to the meaning of the specifications, claim or things whatsoever, in any way arising out of the works relating to this EOI, or the execution, or failure to execute the work whether arising during the progress of the contract or after the completion or abandonment, thereof shall be referred to the sole arbitration of the person to be appointed by the Managing Director, National Horticulture Board, Gurugram. The decision of the arbitrator so appointed will be final and binding on both the parties.

9. EARNEST MONEY DEPOSIT (EMD) AND APPLICATION FEE

- i) Earnest Money Deposit (EMD) for the EOI is Rs. 1,00,000/- (Rupees One Lac only) which is to be paid in the form of Demand Draft in favour of National Horticulture Board, Gurugram, Haryana. In addition, a non-refundable Application and Documentation Fee of Rs. 5,000/- (Rupees Five Thousand only) is also required to be paid to NHB along with application in the form of Demand Draft.
- ii) In case of successful applicants, the Earnest Money Deposit will be retained and shall be returned to empanelled applicants at the time of the final settlement of dues upon expiry of their term. In case of unsuccessful applicants, it will be returned after completion of empanelment process.
- iii) The firms registered as an MSME with the ministry of Micro, Small and Medium Enterprises, Government of India shall be exempted from the requirement of submitting EMD. However, if such firms are selected for empanelment, they shall be required to pay a security deposit of Rs. 1,00,000/- (Rupees One Lac only) in favour of NHB.
- iv) The EMD will be forfeited if the EOI offer is withdrawn during the validity period of EOI applications or in the event of any breach of contract by the Solicitor/Law firms.

10. DISABLEMENTS:

Disablement on part of the Solicitor/Law firm shall mean and include any of the following:

- i. Giving false information in the application for empanelment.
- ii. Handing over the brief/matter to any other Solicitor/Law firm without prior written permission of the Board.
- iii. Failing to attend the hearing of the case without sufficient reason and prior information

- iv. Not acting as per instructions of the Board or going against specific instruction;
- v. Not returning the brief when demanded or not allowing or evading to allow its inspection on demand.
- vi. Threatening, intimidating or abusing any of the Board's employees, officers or representatives.
- vii. Making any of its associates or juniors to appear on behalf of any of the opposite parties in cases related to the Board;
- viii. Committing any act tantamounting to contempt of court or professional misconduct;
- ix. Passing information relating to the Board's case to any third party which will harm the interest of the Board except such information which is required under law;
- x. Giving false or misleading information to the Board relating to any proceeding/case etc.
- xi. Seeking adjournment in any case or not objecting the adjournment moved by the opposite party without sufficient reason;
- xii. Empanelment shall be liable to be cancelled due to occurrence of any of the above disablements on part of the Solicitor/Law Firm.

11. FEES AND CHARGES:

- i. No retainer fee shall be paid to any Solicitor/Law firm merely because such Firm has been empanelled.
- ii. Cases already entrusted to Solicitor/Law Firm(s) prior to date of the commencement of new panel and pending before Court of Law has/ have to be handled at existing schedule of fee and expenses
- iii. Schedule of Fee prescribed/admissible and payable to the newly Empanelled Solicitor/Law Firms in different Courts is given below:

Sr. No.	Activities	Fee (in Rupees)
1	Examination of legal cases and submission of opinion.	7,000/- Per cases
2	Drafting and issuing of legal notices or replying the legal notices on the behalf of NHB	7,000/- Per cases
3	Drafting and defending and pursuing all cases on behalf of NHB in various Courts.	As per schedule of fee given below

SCHEDULE OF FEE IN RESPECT OF THE ACTIVITIES MENTIONED AT SR. NO. 3 IN THE ABOVE TABLE

A. DISTT./SESSION/LOWER/CONSUMER COURTS

Sr. No.	Activities	Fee (in Rupees)
a.	ISSUE AND SERVICE OF NOTICE, DRAFTING AND FILING	
1.	Civil Suits/Petitions	7,500/-

2	Criminal Complaints/petitions	7,500/-
3.	Miscellaneous Interlocutory Application	2,500/-
4.	Written Statements/Counter Affidavits/Rejoinders, etc, in connection with any of the above	3,500/-
5.	Caveat	3,000/-
b.	APPEARANCES (for effective hearing only)*	
1.	Civil Suits/Petitions	3,500/-
2.	Criminal Complaints/Petitions	3,500/-
3.	Miscellaneous Interlocutory Application	2,500/-
c.	COMPLETE CASE TILL FINAL DECISION	
		75,000/-

B. HIGH COURT

Sl. No.	Activities	Fee (in Rupees)
a.	ISSUE AND SERVICE OF NOTICE, DRAFTING AND FILING	
1.	Civil Suits/Petitions (Civil)	11,000/-
2.	Criminal Complaints/Petitions	11,000/-
3.	Writ Petitions (Civil & Criminal)	11,000/-
4.	Appeals (Civil)	11,000/-
5.	Appeals (Criminal)	11,000/-
6.	Written Statements/Counter Affidavits/Rejoinders, etc, in connection with any of the above.	5,000/-
7.	Miscellaneous Interlocutory Application	3,500/-
8.	Caveat	5,000/-
b.	APPEARANCES (for effective hearing only)*	
1.	Civil Suits/Petitions (Civil)	8,000/-
2.	Criminal Complaints/Petitions	8,000/-
3.	Writ Petitions (Civil & Criminal)	8,000/-
4.	Appeal (Civil)	8,000/-
5.	Appeal (Criminal)	8,000/-
6	Miscellaneous Interlocutory Application	5,000/-
c.	COMPLETE CASE TILL FINAL DECISION	
		1,50,000/-

C. SUPREME COURT

Sl. No.	Activities	Fee (in Rupees)
a.	ISSUE AND SERVICE OF NOTICE, DRAFTING AND FILING	
1.	Civil Suits/Petitions (Civil)	15,000/-
2.	Criminal Complaints / Petitions	15,000/-
3.	Writ Petitions (Civil & Criminal)	15,000/-
4.	Appeals (Civil)	15,000/-
5.	Appeals (Criminal)	15,000/-
6.	Written Statement/Counter Affidavits/Rejoinders, etc, in connection with any of the above.	10,000/-

7.	Miscellaneous Interlocutory Application	5,000/-
8.	Caveat	5,000/-
b.	APPEARANCES (for effective hearing only)*	
1.	Civil Suits/Petitions (Civil)	11,000/-
2.	Criminal Complaints/Petitions	11,000/
3.	Writ Petitions (Civil & Criminal)	11,000/
4.	Appeal (Civil)	11,000/
5.	Appeal (Criminal)	11,000/
6.	Miscellaneous Interlocutory Application	11,000/
c.	COMPLETE CASE TILL FINAL DECISION	2,50,000/-

* If a case is not heard or taken up in court on the scheduled day for any reason, despite being listed, it should be treated as an ineffective hearing. In such cases, a 50% payment of the effective hearing rate should be applicable.

Note: The Fee and other charges for all the Tribunals/Quasi Judicial Forums shall be the same as that of High Court.

12. TA and DA

In addition, Travelling Allowances/Conveyance/Dearness Allowance (Food Bill) including Hotel charges etc. as per entitlement of Group A officers of the Board (Equivalent to Grade Pay Rs. 5400/- pre-revised/ pay matrix level-9 as per 7th CPC) will be paid by the Board for which prior tour approval from Competent Authority, NHB is required. The travelling by shortest route for not more than two persons would be admissible to the Solicitor/Law firm, wherever outstation visits would be involved.

13. SUBMISSION OF PROPOSAL

Interested and eligible Solicitor/Law Firms may submit their Application in the prescribed format with complete information. The Application Form duly filled in, along with all supporting documents/information and EMD should be submitted in a sealed envelope superscribing as “**Expression of Interest (EOI) and EMD for Empanelment of Solicitor/Law Firms in NHB**” to:

Joint Director (Legal Cell)
National Horticulture Board
Ministry of Agriculture & Farmers Welfare,
Government of India
Plot No. 85, Sector 18, Institutional Area,
Gurugram – 122015 (Haryana)

The application may also be dropped in the Drop Box located near the Front Office Desk at NHB’s office on above address. The last date for submission of Physical Application Form is 18.04.2025 till 04:00 PM.

Application received thereafter whether by post/courier or by hand delivery or otherwise will not be entertained at any cost. Post delay or loss of EOI proposal in transit will not be the responsibility of NHB. Officers sent by FAX/e-mail will not be considered.

APPLICATION FORM

1.	Name of the Solicitor/Law firm		
2.	Permanent Office address		
		E-mail	
		Website	
		Phone No(S)	
		FAX No.	
3.	Profile of the Solicitor/Law firm	Please provide information in the sub heads given below along with other relevant information as Annexure	
		Year of Inception of Solicitor/Law firm	
		Promoted by	
		Associates in the firms	
		Area of Expertise	
		Services provided	
4.	Team		
		Permanent Team	Please enclose details on a separate sheet giving information about Name, Designation and skills of the individual team member along with CVs
5.	Organizational Network (Should have office at State Capital)	Head office	
		Branch Office(s)	
		Field Office(s)	
6.	Experience (Minimum 10 years in dealing with Civil, Criminal & debt recovery cases)	Please enclose a detailed statement of facts containing information regarding the project title, Name of the Organization	
7.	Turn over (as per eligibility criteria)	Please enclose audited statement of Accounts for the last three years duly verified by Chartered Accountant	
8.	Details of EMD	Demand Draft/UTR No. date & amount	
9.	Any other relevant information		

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

Signature of authorized signatory with seal

Place

Date