



Heavy Engineering Corporation Ltd.
(A GOVERNMENT OF INDIA ENTERPRISE)
Ranchi, India

D/HQL/2020-217

Dated 15.12.2020

NOTICE INVITING APPLICATIONS FOR EMPANELMENT OF
ADVOCATES/LAW FIRMS

REQUIREMENT OF ADVOCATES/LAW FIRMS FOR EMPANELMENT TO
REPRESENT HEC BEFORE VARIOUS COURTS AT
RANCHI/DELHI/KOLKATA & OTHER PLACES

Heavy Engineering Corporation Ltd. (HEC) is one of the leading suppliers of capital equipment in India for steel, mining, railways, power, defense, space research, nuclear and strategic sectors. It also executes turn-key projects from concept-to-commissioning. Set-up in the year 1958, HEC has acquired expertise in its field through its more than half a century's experience.

With the seamless integration of its facilities, HEC is one of the largest integrated engineering complexes. Sprawling in an area of around 2100,000 sq.m, HEC has facilities starting from steel melting, casting, forging, fabrication, machining, assembly and testing. It has its own in-house research and product development wing to deliver products suiting customers' specifications.

HEC is headquartered at Ranchi, the capital city of Jharkhand, in eastern part of India, and also has its manufacturing facilities located here. A well-suited location nearing to customer sites and proximity to the ports for import items, is an added advantage for its cost-effectiveness.

Founded primarily to facilitate manufacture of steel plant equipment indigenously, HEC has made immense contribution in setting-up, expansion and modernization of steel plants in India. In due course, HEC had diversified to different sectors and made commendable contributions towards manufacture and supply of import-substitute products. Bestowed with the onus of making the country self-reliant for heavy engineering equipment and services, HEC continues to contribute in the nation-building endeavor.

The Law firms and 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 Conditions and the application format in which the application has to be made, have been prescribed and as given below.

Eligible Law Firms and practicing Advocates may send their applications in the format prescribed in *Annexure "A"* enclosed herewith along with all supporting documents.

The Advocates/ Law Firms who are on the existing panel of HEC shall cease to be on the panel of HEC after new panel is finalized against this notice. Therefore, they shall also be required to apply afresh to this notice by 31.12.2020.

In-charge/Law Department
HEC Ltd., Plant Plaza Road
Dhurwa, Ranchi
Tel: 0651- Tel: 0651-2401335/1377
Email: heclaw@gmail.com

The last date of receiving Applications in the prescribed format alongwith supporting documents is 31.12.2020.

Note: *Applying for empanelment at HEC does not confer any right/assurance whatsoever that they will be empanelled on the panel of HEC. Letters to Advocates confirming their empanelment will be issued by HEC separately.*



Heavy Engineering Corporation Ltd.
(A GOVERNMENT OF INDIA ENTERPRISE)
Ranchi, India

GUIDELINES FOR EMPANELMENT OF ADVOCATES/ LAW FIRMS

Following guidelines are to provide and regulate the manner and procedure for empanelling the Advocates to represent and assist the HEC before various Courts and for regulating the referrals of the cases and payment of fee/remuneration payable to such persons. These guidelines shall supersede all existing instructions in this regard, if any.

Definitions

For the purposes of these Guidelines, the terms used will have the following meaning;

- (i) 'Advocate' means an Advocate, entered in any roll of Advocates under the provisions of The Advocates Act, 1961 (The Act).
- (ii) 'Competent Authority' shall be the CMD HEC or any other officer so designated by the CMD HEC.
- (iii) 'Court' shall mean all Courts of law in India including District Courts at Ranchi; Jharkhand High Court, any Other District Court, Tribunal, Judicial Forum and Arbitrator High Court and Supreme Court etc.

- (iv) 'Effective Hearing' shall mean a hearing in which either one or both parties involved in a case are heard by the Courts / arguments were advanced by the Counsel of any of the parties, Examination-in-chief, Cross examination is conducted, issues/charges has been framed and statement under Section 313 of Cr.P.C, 1973 is recorded. And in addition to the above, effective hearings are according to the High Court Rules.
- (v) 'Non-effective Hearing' shall mean all hearings which are not covered in the above definition of effective hearing.
- (vi) 'Similar Cases' shall mean two or more cases in which identical or substantially similar questions of law or facts are involved.

1) Eligibility of Empanelment

- (i) The Advocates/ Firms should be familiar with various branches of law especially those concerning laws of Constitutional /Service law, Labour law, Contract law, Commercial law, Property laws, Gratuity laws, Arbitration laws, and Taxation etc.
- (ii) For empanelment with HEC as Panel Advocate an individual Advocate must have atleast Ten (10) years of experience as a practicing Advocate and in case of firms the senior most Advocate/Partner/Associate of the firm must have atleast fifteen (15) years of experience as a practicing Advocate. The Advocates having experience more than 5 years and upto 10 years shall be treated as junior Advocate.
- (iii) There would not be any Court specific empanelment however, while referring cases to Advocates the following would be the criterion for

such referrals:

- a) For designation of an Advocate to handle the cases before the High Courts and Supreme Court of India:- More than 10 yrs. experience in case of individual Advocate and 15 yrs of experience of Sr. Partner in the case of firms. The Advocates having experience more than 5 years and upto 10 years shall be treated as junior Advocate.
- b) Further for designation of an Advocate to handle cases before Supreme Court of India generally those Advocates who are regularly practicing before the Supreme Court and are Advocates-on-Record would be preferred, if they are otherwise found to be competent and eligible.
- c) For designation of an Advocate to handle the cases before all the other Courts not mentioned above: - Atleast 10 yrs. Experience in case of individual Advocate and 15 yrs of experience of Sr. Partner in the case of firms.

(iii) Infrastructure Facilities:

- a) Advocates/ Firms should have their own chambers in Supreme Court, High Courts or major District Courts or should have good office space with facilities like telephone, fax, computers, internet, etc.
- b) The Advocate/ firm must have adequate manpower.
- c) The office of the Advocate/ firm applying for Ranchi should be situated within 10 to 15 kms of HEC Headquarter.

Provided that the Competent Authority may relax the above conditions at its discretion, if otherwise found eligible in certain cases.

2) Tenure of Empanelment

The initial empanelment will be for two years or until further orders whichever is earlier. Performance of empanelled Advocates shall be reviewed on annual basis. However, on completion of the term and satisfactory performance of the Advocate, the empanelment may be renewed for a period of another Two years by the HEC. The HEC reserves the right to terminate the empanelment of any Advocate at any time without assigning any reason thereof.

3) General Terms and Conditions

- (i) The Advocates shall be engaged only in cases where HEC is a necessary party.
- (ii) Proforma matters:- where the HEC is a proforma party in matters pending before any Court, the same may be taken care of by the officers of the HEC. However, the Advocates may be engaged if deemed necessary in exceptional cases by the Competent Authority.
- (iii) The size of the panel and number of Advocates in Panel shall be determined by the Competent Authority based on the requirement and quantum of work. The volume of work shall be assessed on the basis of the pending cases in the preceding year and the fresh cases likely to be added in the succeeding years. Presently total 35 Advocates shall be empanelled for HEC, Ranchi. HEC reserves the right to include more Advocates in the panel as it deems fit.

- (iv) The panel shall consist of Advocates from diversified fields Constitutional /Service law, Labour law, Contract law, Commercial law, Property laws, Gratuity laws, Arbitration laws, and Taxation law etc. having the expertise, experience, performance and conduct of Advocates in these fields in general or experience in dealing cases of above fields.
- (iv) Cases involving similar issues/points of law or otherwise interlinked or clubbed may be entrusted to the same Advocate as far as possible, while care shall be taken to avoid concentration of cases in the hands of one Advocate/a few Advocates/law firm.
- (v) The Advocate shall not necessarily be empanelled for any specific Court and shall accept the work assigned to him for the Courts for which he is basically designated on the basis of minimum eligibility conditions for such referrals and shall not refuse to accept any work without any reasonable cause.
- (vi) 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.
- (vii) The empanelled Advocates will not delegate cases and would 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 HEC, if required.
- (viii) The Advocates empanelled under these guidelines shall not be employees of HEC for any purpose and therefore, shall not be eligible for any benefits available to its employees.
- (ix) The empanelled Advocate shall maintain absolute secrecy and confidentiality about the cases of the HEC as required under the Act

and rules/regulations framed thereunder.

- (x) The Advocates shall accept the terms and conditions of the empanelment as determined by the HEC from time to time.
- (xi) These guidelines shall also be applicable to the designated Senior Advocates of the High Courts and Supreme Court for all purposes except the requirement of empanelment.
- (xii) In case of empanelment of Law Firms, all the terms and conditions for empanelment of the individual Advocates shall apply *mutatis mutandis* to them.
- (xiii) If required and considered appropriate by the Competent Authority, Attorney General of India/Solicitor-General of India/Additional Solicitor General/Advocate General/Designated Senior Advocates may be engaged to argue the cases on behalf of the HEC keeping in view the urgency and importance of a particular matter. They shall be engaged on case to case basis with the approval of the Competent Authority. Engagement of Sr. Advocates etc. and their fees for such cases may be approved and decided by the CMD HEC on the merits of each case.

4) Payment of Fee and Other Conditions

- (i) The fee payable to the Advocates shall be governed by the **Schedule** of fee annexed as **Annexure “C”** 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 annexed schedule keeping in view the importance of the matter and the labour and efforts put in by the Advocate in a particular case. It

shall also have the power to fix the fee for eventualities which have not been mentioned in the schedule till the appropriate amendment is made in this regard in the Fee Schedule by the HEC.

- (iii) No retainer fee shall be paid to any panel Advocate/law firm merely because such Advocate/firm has been empanelled.

5) Procedure for Empanelment

The Competent Authority will consider the applications for empanelment in terms of these guidelines only on merits after due notice in this regard is published on the website of the HEC as well as in leading newspaper. For this purpose, the Competent Authority may authorize any officer/group of officers of HEC and such authorized officer(s), while appraising the applications of the Advocates, may consider the following points:

- (i) Length of practice and specialization.
- (ii) Proper and adequate infrastructure such as office premises, number of junior Advocates, assistants, clerks and fax, mobile phone, fixed phone, internet connection etc.
- (iii) Annual income-tax return filed with the Tax Authorities.
- (iv) Track record and integrity.
- (v) If considered necessary, an enquiry with the respective Bar Council/Bar Association about the claims and conduct of the Advocate to be empanelled may be made and credentials may also be verified.
- (vi) If the Advocate is empanelled by other organizations/authorities, their opinion may also be obtained, if felt necessary.
- (vii) If HEC gets a large number of applications, then to select the required number of Advocates/Firms, in addition to above, the attributes like experience in representing Govt/PSU/Statutory Bodies/Telecom Sector or number of cases in which the Advocate was able to get

favorable outcome/decision which are reported/referred in reputed legal journals etc.

The above list is illustrative and not exhaustive. The Competent Authority may also consider any other factor relevant for empanelment.

6) Documents required to be submitted by the Advocate

The Advocates will be required to submit their Applications in the prescribed format as given in **Annexure-A**. The self attested copies of the following documents are required to be submitted with application:

- (i) High School certificate in support of age of Advocate (Sr. Partner in case of law firm)
- (ii) Certificates in support of educational qualifications
- (iii) Certificate of Registration with Bar Council
- (iv) Identity card issued by Bar Association / Bar Council
- (v) Details regarding representation of other Govt/PSU/Statutory Bodies/Telecom Sector organizations
- (vi) Documents regarding empanelment with other Organizations, if any.
- (vii) Details regarding the cases in which the Advocate was able to get favourable outcome/decision which are reported/referred in reputed legal journals etc.
- (viii) Details of office Infrastructure.
- (ix) Acceptance of all the terms and conditions of empanelment unconditionally and unequivocally.
- (x) An undertaking from the Advocate to the effect that all information furnished by him is correct.
- (xi) Other relevant information, if any.

7) Communication of Empanelment

After a decision to empanel the Advocate is taken, a communication in writing to this effect shall be sent to the shortlisted Advocates/Firms as per **Annexure-B** with acknowledgement and acceptance due. The process of empanelment shall be complete when HEC receives an acceptance letter from the Advocate.

8) Private Practice and Restrictions

- (i) Advocate shall have the right to private practice which should not, however, interfere with or be in conflict with the efficient discharge of his duties as an empanelled Advocate of the HEC.
- (ii) Advocate shall not advise any party or accept any case against HEC.

9) 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 HEC;
- (iii) Failing to attend the hearing of the case without any sufficient reason and/or prior information;
- (iv) Not acting as per HEC'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 HEC's funds or earmarkings, using the same towards his fee without HEC's permission.
- (vii) Threatening, intimidating or abusing any of the HEC'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 HEC;
- (ix) Committing an act that tantamount to contempt of Court or professional misconduct;
- (x) Conviction of the Advocate in any offence resulting into arrest or detention or disbarment by the Bar Council;
- (ix) Passing on information relating to HEC's case on to the opposite parties or their Advocates or any third party which is likely to cause any damage to the HEC's interests;
- (x) Giving false or misleading information to the HEC relating to the proceedings of the case; and
- (xi) Seeking frequent adjournments or not objecting the adjournment moved by 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.

10) Doubt/ Difficulty

If there arises any doubt/difficulty with respect to the implementation/interpretation of any clause of these guidelines, the same shall be placed before the CMD, HEC and his decision in this regard shall be final and binding.

ANNEXURE 'A'

FORMAT OF APPLICATION FOR ADVOCATES/LAW FIRMS

- 1) Name
- 2) Date of birth
Age (as on.....)
- 3) Educational qualifications
- 4) Date of Enrolment, Name of Bar Council
(Copy of enrolment certificate must be attached)
- 5) Period of practice
- 6) Details of Experience/practice
- 7) Area of practice
- 8) Specialization, if any (Constitution/Taxation/Service etc.)
The details of a few important cases the Advocate has dealt with/handled and reported Judgment if any.
- 9) Whether Central Govt. counsel/pleader (indicate period)]
- 10) Brief list of clients e.g. Govt./organizations/Commissions/PSUs
- 11) The Courts where the Advocate is regularly practicing (Enclose Bar Association Membership Certificate)
- 12) Date of enrolment as an Advocate – on – record of the Supreme Court and Registration No.
- 13) PAN number
- 14) Experience in dealing with other legal Matters.

A brief note on suitability for empanelment. *(details of major cases dealt/ contested by the Advocate successfully)*

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 the HEC as required under the Act, Rules and Regulations thereunder.

Signature of Advocate

**Address (office & residence/chamber)
Tel. No.
Mobile No.
Fax No./ Email ID**

ANNEXURE 'B'

To,

Mr _____, Advocate

Dear Sir,

Sub: Empanelment as HEC's Advocate/Law Firm

This is with reference to your application dated-----wherein you have evinced interest for empanelment as an Advocate with the HEC. We are pleased to inform that your request has been considered favourably and you are advised to give your assent for empanelment on following terms and conditions (A copy of guidelines enclosed):

1. You will abide by HEC's terms and conditions **as** enumerated in the Guidelines for such empanelment.
2. Your fees would be strictly governed by the HEC fee schedule for Panel Advocates as amended from time to time and you will not claim any retainer fee or employment in HEC's service.
3. You will not accept any case against the HEC.
4. You will take necessary steps to protect the interest of the HEC in matters entrusted to you from time to time.
5. Empanelment does not confer any right or claim that you alone should be entrusted with the HEC's work.
6. 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.
7. The HEC may at any time, at its discretion, withdraw from you any proceedings/matter/ brief and may discontinue you as HEC's Advocate without assigning any reason thereof and without paying any further fees.

8. You will keep HEC informed about the developments in the matters entrusted to you.
9. Unless a case is specially assigned to you by the HEC, you will not on your own receive Summons / Notices of the HEC's matters and even if you receive, if no Vakalatnama is given to you, you shall not otherwise deal with such cases. However, you will immediately inform HEC in this regard.
10. You shall not use HEC's name or symbol, logo in your letter heads, sign boards name plates etc.
11. In case of any misconduct, the HEC will take appropriate action against you which includes filing complaint with Bar Council and recovery of financial loss caused to the HEC due to your misconduct.
12. In case of initiation of any disciplinary proceedings/ criminal proceedings against you, the HEC may remove you from the panel even without waiting for the conclusion of such proceedings.
13. Your performance will be reviewed on yearly basis and if your services are not required/ found upto the mark, HEC may remove you from panel and the cases/matters entrusted to you will be taken back from you.
14. You are required to maintain absolute secrecy about the cases of the HEC 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 HEC.
15. You are requested to return the duly signed duplicate copy of this letter indicating your unconditional consent.

We look forward for better cooperation and hope for good relations with you.

Yours
faithfully

(Authorized Signatory)

**FEE SCHEDULE FOR PANEL OF ADVOCATES/LAW FIRMS – OUT
OF RANCHI**

A	APPEARANCES		
Sr. No.	Particulars	For Sr. Counsel (Rs.)	For Jr. Counsel (Rs.)
A-1	Before Supreme Court, High Courts		
a			
i	For Effective Hearing	8000	2500
ii	For Non Effective Hearing	2500	1000
b	Before Registrar, Dy. Registrar, Joint Registrar	2500	1000
c	Civil Suits Payment shall be released in 3 installment in 40:40:20	Rs. 20,000/- consolidated fees per case	
A-2	Before National Consumer Dispute Redressal Commission, Income Tax Appellate Tribunal, Sales Tax Appellate Tribunal, Appellate Tribunal for Electricity, Arbitrators appointed by Ministry of Law/DPE/ICA/ICADR/SFCA etc.		
i	For Effective Hearing	8000	2000
ii	For Non Effective Hearing	2500	1000
A-3	Before District Court/City Civil Courts/Lower Courts (including Civil Suits/ Execution Petition, complaint u/s 138 of NI Act etc.) Payment shall be released in 3 installment in 40:40:20	15000/-Consolidated fees per case	
A-4	Before District Consumer Forum Payment shall be released in 2 installment in 50:50	5000/-Consolidated fees per case	

B	DRAFTING AND SETTLING OF PLEADING		
Sr. No.	Particulars	For Sr. Counsel (Rs.)	For Jr. Counsel (Rs.)
B-1	Supreme Court/High Court (including Civil Suits)		
a	Special Leave Petitions/Appeals/ Writ Petitions/Replies/Counter Affidavits/ Rejoinders/Replications/W.S./Plaints/Suits/ Statement of Claims and Counter Claims	10000	5000
b	Interim Application/Misc. Appl./ Misc Civil Petition/Replies thereto	2500	1500
c	Caveat	2500	1500
d	Affidavit by way of Evidence per affidavit	3000	1500
B-2	Before National Consumer Dispute Redressal Commission, Income Tax Appellate Tribunal, Sales Tax Appellate Tribunal, Appellate Tribunal for Electricity		
a	Petitions/Appeals/Replies/ Rejoinders	6000	1500
b	Interim Applications/Misc. Applications/ Replies thereto	1500	1000
c	Caveat	1500	1000
d	Affidavit by way of Evidence per affidavit	2000	1500
B-3	Before Central Administrative Tribunal, Arbitrators appointed by Courts/Ministry of Law/DPE/ICA/ICADR/SFCA etc CEGAT, State Consumer Dispute Redressal Commission, Company Law Board, CGIT, Debt Recovery Tribunal, BIFR, AIFR, Other Statutory Authorities/Bodies		
a	Petitions/Appeals/Replies/ Rejoinders/	5000	1500
b	Interim Applications/Misc. Applications/ Replies thereto	1500	1000
c	Caveat	1500	1000
d	Affidavit by way of Evidence per affidavit	2000	1500

B-4	District Courts/City Civil Courts/Lower Courts/ District Consumer Disputes Redressal Forum/Arbitrators		
a	Plaint/Petitions/Ex. Suits/ Replications/Rejoinders	Petition/Recovery Complaint/Replies/WS/ 1500	1000
b	Interim Applications/replies thereto	Applications/Misc. 1000	500
c	Caveat	1000	500
d	Affidavit by way of Evidence per affidavit	1500	1000
C	ARBITRATION BEFORE ARBITRATORS APPOINTED BY CMD/HEC (FEE FOR OUTSIDER).		
	Claim amount	Consolidated fees (including appearance, drafting, conferences, clerkage etc.) (Ref. Point No. 10 of Notes)	
	Upto 50 lacs	25000/-	Subject to maximum 1% of the claim amount as per the original/initial Statement of Claim
	More than 50 lacs upto 1 crore	50,000/-	
	More than 1 crore upto 50 crore	2,00,000/-	
	More than 50 crore	5,00,000/-	
C-1	Arbitrator appointed by High Court/Supreme Court.	Payment shall be made as per the provisions of Forth Schedule of Arbitration and Conciliation Act, 1996	
D	CONFERENCES AND CONSULTATIONS (PER HOUR BASIS)		
	With Senior Counsel	3000	1000
	Other than Senior Counsel	2500	1000
E	WRITTEN OPINION (INCLUDING CONFERENCES)	5000	2500
F	DRAFTING OF LEGAL NOTICE	1500	1000

FEE SCHEDULE FOR PANEL OF ADVOCATES / LAW FIRMS FOR DISTRICT / LOWER COURT AT RANCHI.

Sl. No.	Items/Particulars	Schedule of Fee for Senior Advocate	Schedule of Fee for Junior Advocate
1.	Conference/Consultation	500/- (limited to max five sittings)	175/- (limited to max five sittings)
2.	Fee for drafting Complaint/Money suit/Cr. Complaint/Objection Petition/cases etc.	750/-	400/-
3.	Fee for drafting notice/reply to notice	300/-	100/-
4.	Non-effective appearance before District Court/Tribunal etc.	300/-	100/-
5.	Effective appearance before District Court/Tribunal etc.	750/-	400/-
6.	Written opinion on cases/matters which are not dealt by concerned Advocate	500/-	250/-
7.	Clerkage	10% of professional fee	10% of professional fee
8.	Expenses	As per actual	As per mutual consent
8.	Outstation consultation/Appearance	As per mutual consent	As per mutual consent

ANNEXURE 'E'**FEE SCHEDULE FOR PANEL OF ADVOCATES / LAW FIRMS FOR HIGH COURT AT RANCHI.**

Sl. No.	Items/Particulars	Schedule of Fee for Senior Advocate	Schedule of Fee for Junior Advocate
1.	Drafting of petitions/counter affidavit etc.	2000/-	1000
2.	Drafting of supp. Affidavit/rejoinder etc.	1000/-	500
3.	Drafting of Caveat	1000/-	500
4.	Effective hearing per case per day	2500/-	1000
5.	Non- Effective hearing per case per day	1000/-	500
6.	Conference	1500/- (limited to max five sittings)	500 (limited to max five sittings)
7.	Opinion	2000/-	1000
8.	Outstation consultation/Appearance	As per mutual consent	As per mutual consent
9.	Clerkage	10% of professional fee	10% of professional fee
10.	Expenses Subject to production of receipt in original	As per actual	As per actual

ANNEXURE 'F'**FEE SCHEDULE FOR ADVOCATES/LAW FIRMS FOR ARBITRATION**

Sl. No	Items/Particulars	Fees for claim amount upto 5 crore rupees	Fees for claim amount more than 5 crore rupees
1.	Attending arbitration proceedings	3,000/-	9,000/-
2.	Conference	1,500/- (limited to 5 conferences)	3,000/- (limited to 5 conferences)
3.	Written opinion	2,000/-	5,000/-
4.	Statement of claim/defence	10,000/-	15,000/-
5.	Written arguments	7,500/-	10,000/-
6.	Subsequent petitions, rejoinders, applications etc.	2,500/-	2,500/-
7.	Clerkage	10% of fees	10% of fees
8.	Expenses/Conveyance	As per actual	As per actual

Notes:

1. Fee for ASGI/SGL/AGI and Sr. Advocates designated by High Courts /Supreme Court are not being stipulated as they are engaged in very few important cases only on the recommendation on the HEC's Panel Advocates & Solicitors and their fees varies from case to case depending upon the importance and question of law etc. involved in the matter. Engagement of such Sr. Advocates and Fees for such engagement may be decided and approved by the respective Directors of the Units and by CMD on the merits of each case.
2. In case of payment of consolidated fees in Civil Suits, 40% of consolidated fee shall be paid on filing of plaint or counter statements on behalf of HEC, 40% on conclusion of hearings and balance 20% on pronouncement of judgment.
3. Clerkage shall be paid at the rate of 10% in addition to fee and same shall not be paid on the charges like misc. expenses, photocopy expenses etc. subject to maximum of Rs. 2000/- per hearing on production of receipt in original.
4. Reimbursement of miscellaneous expenses, not specifically covered in fee schedule, shall be permitted on production of original bills/ vouchers.
5. When two or more cases involve substantially identical questions of law and/ or fact, one of such cases will be treated as the main case and the others as connected cases and the fees in such cases will be regulated as under, provided the cases are heard together:

- (i) Full fee would be admissible for appearance in the main case and 50% in each of the connected cases, subject to a maximum of one additional full fees, i.e. not more than twice the amount of full fees in the main case would be admissible irrespective of number of such connected cases.
 - (ii) If substantially identical petition/plaint/appeal, replies/counter affidavits, affidavits, written statements, applications and other pleadings are drafted in such connected cases, full drafting fee will be admissible in the main case and only 20% separate drafting fee will be admissible in respect of each connected case.
6. For the purpose of payment of fees as per Fee Schedule, the Panel Advocate/Senior Advocate of the Firm of Advocate having more than 10 years of experience/practice in the Courts after the date of enrolment as Advocate shall be treated as a Senior Counsel while all other Advocates would be treated as Junior Counsels.
7. The Conference fee as shown at S. No. 'D' at **Annexure "C"** in the fee Schedule will be subject to following:-
- i) In general, for conferences between the Sr. Adv. and Panel Advocate (wherever nominated specifically for a case) and between the Advocates and the HEC officers, such conferences would be limited to a maximum of ten (10) conferences.
 - ii) However, depending upon the complexities involved in a particular matter and on the recommendations of concerned Legal Cell, the number of conferences may be increased by the respective Director/CMD.

8. (i) **Effective hearing:** the effective hearing means a hearing in which either one or both parties involved in a case are heard by the Courts / arguments were advanced by the Counsel of any of the parties, Examination-in-chief, cross examination is conducted, issues/charges has been framed and statement under Section 313 Cr.P.C is recorded. And in addition to the above, effective hearings are according to the High Court Rules.

(ii) **Non-effective hearing:** the non-effective hearing means all hearings which are not covered in the above definition of effective hearing.

9. If a case does not reach for hearing, then no fee would be paid to the Counsel.

10. For Arbitrations before Arbitrators appointed by HEC.

(i) Notwithstanding anything in the above fee schedule the consolidated fee that will be paid to HEC Advocate, shall not exceed 1% of the claim amount as per the original/initial Statement of the Claim filed by the party invoking the Arbitration.

(ii) The fees shall be paid in three installments in the following manner

- 40% on filing of Claim/Reply/Counter Claim on the behalf of HEC, as the case me.
- 40% on the time of conclusion of hearings in the matter.
- 20% after publication of the Award.

11. In the matters, where bulk notices of same nature are required to be issued, the maximum consolidated fees payable for all such notices shall not be more than Rs. 1500/-

12. The Liability of HEC towards payment of Tax would be subject to applicable rules only and any amendment/modification thereto would be applicable immediately.