

Notice for Expression of Interest

Expression of Interest No. : EOI/MINING/2023/01

Requirement of Advocates/Law firms for Empanelment to represent Maharashtra State Mining Corporation Ltd. (MSMC) Nagpur before the PMLA Appellate Tribunal, New Delhi.

A Panel of Advocates / Firms & Senior Standing Counsels for representing Maharashtra State Mining Corporation Ltd. Nagpur (MSMC) before various PMLA Appellate Tribunal, New Delhi is being constituted. Law firms and practising advocates who are registered with Bar Council of India /State Bar Council are eligible for Empanelment. **Format for Application and Guidelines for Empanelment of advocates / law firms** are available on official Website of MSMC Ltd. www.msmc.gov.in. Eligible applicant(s) may obtain the details from website for further necessary process.

Managing Director

GUIDELINES FOR EMPANELMENT OF ADVOCATES

Following are the guidelines to provide and regulate the manner and procedure for empanelling the advocates to represent and assist M.S.M.C Ltd. before PMLA, Appellate Tribunal, New Delhi for regulating the referrals of the cases and payment of fee/remuneration. These guidelines shall supersede all existing instructions in this regard, if any.

Tenure/Terms of Empanelment

The payment terms shall be governed by the decided by the Board of MSMC. MSMC reserves the right to terminate the empanelment of any advocate at any time.

Eligibility:-

The Advocates having minimum professional experience of at least three (03) years, & well conversant and experienced with cases related with the Appellate Tribunal for SAFEMA, FEMA, PMLA, NDPS, PBPT and Other important Acts and having fluency in English & Marathi. Preference will be given to those who are having experience to handle such cases by or against the Government/Public Undertakings/Local Bodies & Specially for Mining related cases.

Terms and Conditions:-

- a) The advocate shall not necessarily be empanelled for specific Court and shall have to accept the work assigned to him.
- b) 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.
- c) The empanelled Advocates will not delegate/assign cases to others and has to deal with the cases personally.
- d) The empanelled Advocate shall maintain absolute secrecy and Confidentiality about the cases of the Maharashtra State Mining Corporation Ltd., Nagpur.
- e) The empanelled Advocate should have proper and adequate Infrastructure such as office premises, assistants, clerks, fax, mobile phone, internet connection etc.
- f) The initial empanelment will be for one year. Performance of Empanelled advocates may be reviewed from time to time. Maharashtra State Mining Corporation, Nagpur shall reserve the right to terminate the empanelment of any advocate at any time without assigning any reason.
- g) Maharashtra State Mining Corporation Ltd, Nagpur shall be the sole authority to decide the honorarium to be paid to the empanelled Advocate and such decision shall be binding to all the empanelled advocates.
- h) An undertaking shall be furnished by an advocate to the effect that all information furnished by him/her is correct.
- i) An advocate shall not advise any party or accept any case against the Maharashtra State Mining Corporation Ltd, Nagpur.
- j) 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 M.S.M.C Ltd Nagpur arising in any court.
- k) Those Advocates, who are interested in the assignment may submit their application in the prescribed format along with an affidavit clearly mentioning the details of court cases undertaken by them as attorney, number of cases pending /undecided and number of cases decided in favour of during the working hours (except the days of public holidays) to the Managing Director, Maharashtra State Mining Corporation Ltd. "Khanikarm Bhavan", Plot No.7, Ajni Chowk, Wardha Road Nagpur-15. No application will be entertained after the stipulated period.

l) After scrutiny/, eligible candidates may be communicated by way of SMS/E-mail or by way of letter for interview, in due course of time.

m) The Maharashtra State Mining Corporation Ltd., Nagpur reserves the right to amend/ alter/ change/ modify, any or all of the condition/s if necessary or cancel the advertisement without assigning any reason thereof.

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-B** with acknowledgement and acceptance due. The process of empanelment shall be complete when M.S.M.C. Ltd. receives an acceptance letter from the advocate.

Date : -

M.S.M.C LTD NAGPUR

APPLICATION FORM

To,

The Managing Director,
Maharashtra State Mining Corporation Ltd
"Khanikarm Bhavan", Plot No.7,
Ajni Square, Wardha Road,
NAGPUR-440 015.

Subject : Empanelment of Advocates on M.S.M.C. Panel in _____ (Name of the Court).

Sir,

Reference your advertisement dated _____ uploaded on M.S.M.C. LTD.'s website on the subject noted above, I intend to represent as advocate for M.S.M.C. LTD. and accordingly request that I may be empaneled as M.S.M.C. LTD advocate in _____ Court (write name of the Court).

My particulars are given below:-

1. Name : _____
2. Father's Name : _____.
3. Date of Birth : _____.
4. Address for Correspondence with Tel. No./Mobile/Landline, E-mail. : _____
_____.
5. Permanent Address with Tel./Mobile No.: _____
_____.
6. PAN No. : _____.
7. Educational Qualification : _____ . (Give details).
8. Date of Enrolment with the name of Bar Council : _____ .
(attach copy of enrolment certificate)

9. Detail of Experience/practice : _____.

10. Field of Specialization : _____.

11. If in the panel of State/Central Govt., please give details. : _____.

12. A note of 50 words describing nature of cases by or against the government/government organizations/public undertakings/local bodies etc.: _____

Note: An advocate will be empanelled for various Court and Tribunal therefore the Candidate shall apply various Court and Tribunal.

Undertaking:

i) I also undertake to maintain absolute secrecy about the cases of the M.S.M.C Ltd as required under the Act, Rules and Regulations thereunder.

ii) I agree with the Fee Schedule notified by M.S.M.C. Ltd.

Signature of Advocate

Address (office & residence/chamber) : _____

Tel. No. / Mobile No./ Fax No. / Email ID : _____

To,
Mr. _____
Advocate

Sub: Empanelment as M.S.M.C.Ltd., Advocate

Dear Sir,

This is with reference to your application dated : wherein you have evinced interest for empanelment as an advocate with the M.S.M.C Ltd. 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 M.S.M.C. Ltd. Nagpur terms and conditions and you will not claim any retainer fee or employment in M.S.M.C Ltd. Nagpur service.
2. You will not accept any case against the M.S.M.C. Ltd. Nagpur.
3. You will take necessary steps to protect the interest of the M.S.M.C Ltd. Nagpur 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 M.S.M.C Ltd. Nagpur's work.
6. 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 M.S.M.C Ltd. Nagpur , if required.
7. The M.S.M.C Ltd.Nagpur may at any time, at its discretion, withdraw from you any proceedings/matter/ brief and may discontinue you as M.S.M.C Ltd. Nagpur advocate without assigning any reason thereof and without paying any further fees.
8. You will keep M.S.M.C Ltd.Nagpur informed about the developments in the matters entrusted to you.

9. Unless a case is specially assigned to you by the M.S.M.C. Ltd. Nagpur, you will not on your own receive Summons / Notices of the M.S.M.C. Ltd.'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 the M.S.M.C. Ltd. Nagpur in this regard.

10. You shall not use M.S.M.C. Ltd. Nagpur name or symbol, logo in your letter heads, sign, boards, name plates etc.

11. In case of any misconduct, M.S.M.C. Ltd. Nagpur will take appropriate action against you which includes filing complaint with Bar Council and recovery of financial loss caused to the M.S.M.C. Ltd. Nagpur due to your misconduct.

12. In case of initiation of any disciplinary proceedings/ criminal proceedings against you, M.S.M.C. Ltd. Nagpur may remove you from the panel even without waiting for the conclusion of such proceedings.

13. Your performance may be reviewed on yearly basis and if your services are not required/ found up to the mark, M.S.M.C. Ltd. Nagpur 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 M.S.M.C. Ltd. Nagpur 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 M.S.M.C. Ltd. Nagpur.

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.

(Authorized Signatory)

MAHARASHTRA STATE MINING CORPORATION LTD.

e-NOTICE FOR EMPANELMENT OF ADVOCATES FOR APPELLATE TRIBUNALS

Expression of Interest No. : EOI/MINING/2023/01

MAHARASHTRA STATE MINING CORPORATION, NAGPUR has decided to empanel the competent advocates to represent the matter before Appellate Tribunals, New Delhi. Advocates having more than three (03) years professional experience shall submit application in the prescribed format during the working hours (except the days of public holidays) to the Managing Director, M. S. M. C. Ltd., Nagpur, on or before **15-09-2023 till 5:30 P.M.** After scrutiny, applicants will be called for interview.

M.S.M.C., reserves all the right regarding this advertisement. For further details, please visit the website www.msmc.gov.in.

Managing Director
M.S.M.C.Ltd., Nagpur.