

NOTICE FOR EMPANELMENT OF JUNIOR LAWYERS

NO. LO/MC/42060 dated 16.01.2024

The BMC invites Expression of Interest (EOI) in the prescribed format from eligible candidates for empanelment of Junior Lawyers for providing legal services in Mumbai exercising Civil & Criminal Jurisdiction including High Court, City Civil Courts, Small Causes, Labour and Industrial Court & Metropolitan Magistrate Courts (Shindewadi, Dadar & Vile Parle), Tribunals, Commissions etc., as per requirement mentioned below :-

Panel	Courts	Experience	No. of Lawyers to be empaneled
'A'	High Court	5 years	25
'B'	City Civil Courts, Session Court, Small Causes, Labour and Industrial Court, DRT, Motor Accident Tribunal & other Tribunals & Commissions, Co-operative Court, Consumer Courts, Competent Authorities such as Registrar of Co-operative societies, etc. & any other court other than High Court & Metropolitan Magistrate Court.	5 years	25
'C'	Metropolitan Magistrate Courts (Shindewadi, Dadar & Vile Parle)	3 years	25

Interested and eligible Lawyers may submit their application forms in the prescribed format (enclosed hereto) with complete information. The application form duly filled in along with all supporting documents/ information should be submitted in a close envelop superscribing as “Expression of Interest (EOI) for empanelment of Junior Lawyers in BMC” at the following address :-

Law Officer, Legal Department, 3rd Floor, Brihanmumbai Municipal Corporation, Mahapalika Marg, Fort, Mumbai 400 001.

The last date of submission of application form is 16/02/2024 till 4.00 p.m. Applications received after last date of submission whether by post or courier or by hand delivery will not be considered in any circumstances.

All Lawyers those who are already empaneled on existing panel of BMC shall not apply again in response of this Notice.

Please read the following instructions carefully before submitting the Application Form.

- Format of application with the detailed terms and conditions is available on portal.mcgm.gov.in
- Hard copy of the Application Form to be duly completed in all respect and in the prescribed format only, along with the documents.
- Candidates shall affix coloured photograph on the Application form.
- Only those candidates who fulfill the eligibility criteria may apply for empanelment.
- Candidates shall mention Contact Number, Residential & Office Address and E-mail Address properly.
- Candidates must give all the required particulars in the Application Form and no column should be left blank, else the Application will be rejected.

Eligibility for Empanelment

1. Applicants must have completed L. L. B. Degree Course from the recognized University and must possess Sanad of the Bar Council.
2. Applicants applying for empanelment on High Court 'A' Panel must have experience of 5 years of practice and must have conducted minimum 7 cases independently before the High Court.
3. Applicants applying for empanelment on City Civil Courts and other Courts 'B' Panel must have experience of 5 years of practice and must have conducted minimum 7 cases independently before the City Civil Courts and other Courts.
4. Applicants applying for empanelment on Metropolitan Magistrate Courts (Shindewadi, Dadar & Vile Parle ') 'C' Panel must have experience of 3 years of practice and must have conducted minimum 5 cases independently before the Metropolitan Magistrate Courts.

5. Applicants should be familiar with various branches of Law including Mumbai Municipal Corporation Act-1888, Maharashtra Regional Town Planning Act 1966, Arbitration Act, Industrial Dispute Act including other Labour laws, Environment Act, Constitutional Law, Development Control Regulations, Coastal Road Zone// Regulations and various other laws as applicable in the cases against Brihanmumbai Municipal Corporation.

6. The Applicants shall be paid fees as per the fees schedule mentioned for the respective courts in the present Notice.

7. The Applicants will be given preference, if the Applicants have conducted matters in respective Courts of respective panel in more cases than prescribed, should submit copy of orders of respective applicable Courts.

1. Selection Procedure :-

1. No candidate shall be called for the interview unless he / she satisfies the eligibility conditions.

2. Merely fulfilling the eligibility criteria will not confer any right on a candidate to be called for interview or selection.

3. BMC reserves the right to shortlist the candidates to be called for the interview.

4. Declaration of List of eligible candidates for interview after scrutiny of application & documents will be displayed on the website of BMC.

(portal.mcgm.gov.in)

5. The candidate shall bring all the original documents at the time of interview.

6. Interview Board will also take into consideration :

a. Personality / Eligibility,

b. Legal Knowledge / Legal Aptitude,

c. Commitment / Spirit to work in the field of Legal Aid,

d. Regularity / Availability in the Courts.

7. The result of empanelment will be displayed on the website of BMC i.e

portal.mcgm.gov.in

2. General Terms & Conditions :

1. An empaneled Junior Lawyers shall be empaneled accordingly for respective courts as mentioned herein above and shall accept the work assigned to him/her and shall not refuse to accept any work without any reasonable cause. Refusal by any empaneled Junior Lawyer to accept any work without any reasonable cause (e.g. on grounds of conflict of interest) may entail removal of such empaneled Junior Lawyers from the panel.

2. An empaneled Junior Lawyers will not delegate cases and would himself / herself deal with the same. He / She may have to co-ordinate and work with the Designated Senior Counsels, if any, engaged in the case as well as with the Officers of the BMC. Necessary details of the concerned officer / department will be provided by Legal Department at the time of assignment of brief / matter and thereafter the concerned Junior Lawyer will have to independently contact the officer for the instructions. The concerned Assistant Law Officer of Legal Department would take efforts to provide at most assistance in the case.

3. A Junior Lawyers empaneled under these guidelines shall not be an Employee of BMC for any purpose and therefore, shall not be eligible for any financial or other benefits available to BMC's Employees, except for the fees as scheduled in the present notice.

4. An empaneled Junior Lawyers shall maintain absolute secrecy and confidentiality about the cases of the BMC. An empaneled Junior Lawyer shall maintain the said secrecy / confidentiality as required under the Act and Rules / Regulations framed there under Advocates Act, 1961.

5. An empaneled Junior Lawyers shall accept the terms and conditions of the empanelment as determined by the BMC from time to time.

6. An empaneled Junior Lawyer will have the right to private practice which should not, however interfere with the efficient discharge of his/her duties as a Counsel for the BMC.

7. An empaneled Junior Lawyers shall not advise any party in or accept any case against the BMC in which he/she has appeared or is likely to be called upon to appear for or advise or which is likely to affect or lead to litigation against the BMC.

8. Empaneled Junior Lawyers will have to register himself / herself as a Vendor of BMC at his / her own cost for the purpose of payment of their services.

9. Allocation of matters/briefs to empanelled Lawyers is entirely at the discretion of BMC.

10. Empaneled Junior lawyers shall not ask for allocation of brief as matter of rights.

3. Tenure of Empanelment :

The empanelment will be for a period of three years or until further orders whichever is earlier. Performance of empaneled Lawyers shall be reviewed on annual basis. However, on completion of the term and satisfactory performance of an Lawyer, the empanelment may be renewed for a period of another two years by the BMC. BMC reserves the right to terminate the empanelment of any Lawyer at any time without assigning any reason thereof.

4. Scope of work for Empaneled Junior Lawyer :

An Empaneled Lawyer will have to draft all necessary written statements replies, affidavits, applications, submissions and conduct the matters in the respective Court with drafting etc till final disposal of the matter. The fees paid for the respective matter will be inclusive of the same

5. Procedure for Empanelment :

1. BMC will consider the applications for empanelment in terms of above guidelines.
2. BMC may consider the following points for Junior Lawyers
 - A. Length of practice and specialization.
 - B. Track record and integrity.
 - C. If considered necessary, an enquiry with the respective Bar Council/Bar Association about the claims and conduct of the Lawyer to be empaneled may be made and credentials may also be verified.
 - D. Proper and adequate infrastructure such as Office Premises, adequate Staff and fax, mobile phone, fix phone, Internet connection etc.

6. Payment of Professional Fees payable to Counsel and Other Conditions :

1. While claiming fees, self attested computerized copies of the said order be submitted for verification and necessary approval. The copies of Order / Roznama shall be submitted with fees bill in the given proforma.
2. A hard copy of the Order / Roznama showing the appearance of an Lawyer, obtained from web site of the High Court or the concerned court shall be submitted for verification of the bill and necessary approval.
3. If any dispute arises in respect of fees to be paid to Junior Lawyer, the decision of the Municipal Commissioner shall be final and shall not be questioned in any way.

7. Documents required to be submitted by Junior Lawyers :

Lawyer will be required to submit his / her Application in the prescribed format as given in Annexure alongwith below mentioned self attested copies of documents :-

1. Certificates in support of educational qualifications.
2. Certificate of Registration with Bar Council.

3. Photo Identity Card, Address Proof (as per KYC Norms)
4. Copy of Court orders of minimum of Seven (7) cases appeared and conducted independently before the High Court / City Civil Court . If the Applicants have appeared in more cases, he/she will be given preference accordingly.
5. In the case of candidates applying for Magistrate court, copy of order of minimum of five (5) cases appeared and conducted independently before the Metropolitan Magistrate Court .

8. Communication of Empanelment :

After a decision to empanel Lawyer is taken, communication in writing to this effect will be sent to shortlisted Junior Lawyers on his/her email-Id.

9. Private Practice and Restrictions :

1. Lawyer shall have the right to private practice which should not, however, interfere with or be in conflict with the efficient discharge of his / her duties as an empanelled Lawyer of the BMC.
2. Lawyer shall not advise any party or accept any litigation against BMC.

10. Disablements:

Disablement on part of the Lawyer shall mean and include any of the following:

1. Giving false information in the application for empanelment;
2. Handing over the brief or matter to another Lawyer without prior written permission of the BMC;
3. Failing to attend the hearing of the case without any sufficient reason and/or prior intimation;

4. Not acting as per BMC's instructions or going against specific instructions;
5. Not returning the brief when demanded or not allowing or evading to allow its inspection on demand;
6. Misappropriation of the BMC's funds;
7. Threatening, intimidating or abusing any of the BMC's employees, officers, or representatives;
8. Making any of his associates or juniors to appear on behalf of any of the opposite parties in cases/appeal related to BMC;
9. Committing an act that tantamount to contempt of court or professional misconduct;
10. As and when debarred by Bar Council;
11. Passing on information relating to BMC's case to the opposite parties or their Lawyers or any third party which is likely to cause any damage to the BMC's interests;
12. Giving false or misleading information to the BMC relating to the proceedings of the case;
13. Seeking frequent adjournments or not objecting the adjournment moved by other party without sufficient reason.
14. If performance of Panel Lawyer is found unsatisfactory or Lawyer is found to be guilty of charging or collecting or demanding any remuneration from an aided person in any form or he / she contravenes the scheme of the act, rules and regulations he / she can be removed from the panel and shall also be liable for action for professional misconduct.
15. The BMC reserves its rights to enlarge the scope of duty of Lawyers in order to achieve the aims and objectives of BMC. Empanelment shall be liable to be canceled due to occurring of any of the above disablement on the part of the Lawyer.

11. 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 Joint / Deputy Municipal Commissioner (in charge of Legal Dept) BMC and his / her decision in this regard shall be final and binding.

BMC reserves right to cancel the process of empanelment at any time without assigning any reason.

Sd/-
Ad. Sunil Sonawane
Law Officer

**FORMAT OF APPLICATION FOR EMPANELMENT AS JUNIOR
LAWYER A / B / C (strike out which is not applicable)**

Application no. _____

Photo (For
Office use)

**APPLICATION FOR EMPANELMENT AS JUNIOR LAWYER
A / B / C (strike out which is not applicable)**

- 1. Applicant's Name :**
- 2. Father's/Husband's Name :**
- 3. Date of Birth :**
- 4. Age :**
- 5. Gender :**
- 6. Residential Address :**
- 7. Office Address :**
- 8. Chamber Address (if any) :**
- 9. Telephone No.(O) :**
- 10. Telephone No.(R) :**
- 11. Mobile No. :**
- 12. Fax No. :**
- 13. E-Mail ID :**
- 14. PAN No. :**

15. AADHAR No. :

16. Educational Qualifications :

Course	Name of Board/University	Year of Passing	Obtained Percentage (Aggregate)
Graduation			
Professional Degree (LLB) / (LLM)			
Any other (if any)			

17. Date of Enrollment as Lawyer :

18. Enrollment No. :

(Attach self-attested copy of enrollment certificate issued by Bar Council)

19. Standing in Bar / Experience :

(Duration of actual practice for which applied)

(Attach an experience certificate issued by the Bar Association/Council)

(a) Total no. of cases handled :

(b) Nature of cases handled :
(Attach extra sheet, if required)

(c) Specialization if any :
(The details of a few important cases, the Applicants have dealt with / handled and reported judgement if any.)

20. Whether worked as Central / State Government :
or Government undertaking counsel / pleader
(indicate period)

21. Brief list of Clients i. e. Government / :
Organisations/ Commissions / PSUs /
MNCs

22. The courts where the Applicants are :
regularly practising
(Enclose Bar Association Membership Certificate)

23. Specify whether earlier empanelled on the panel of BMC Authority or any other Institution / Government Department (please tick in the concerned column)

If empanelled on the panel of BMC Authority : YES NO

24. Whether any disciplinary case / Complaint was filed against the Applicants with any Bar Council / BMC. If yes specify details with documents. : YES NO

25. List of the documents to be attached alongwith Application form :

1. Self Attested copy of Certificates in support of educational qualifications.
2. Self Attested copy of Certificate of Enrollment issued by the Bar Council under the Lawyer Act, 1961.
3. Self Attested copy of Photo Identity Card, Address proof (as per KYC Norms)
4. Self Attested copy of ITR for last 3 years
5. Copies of respective court orders.

Signature

DECLARATION

I hereby declare that all the statements made in this application are true, complete and correct to the best of my knowledge and belief. In the event of any information being found false/incorrect at any stage, my candidature is liable to be canceled. I have read and understood the instructions and terms and conditions of the empanelment and agree to abide by those. I declare that I fulfill the eligibility conditions for the category to which I am seeking empanelment. I have not submitted any other application for empanelment, besides the present one. 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 BMC as required under the Act, Rules and Regulations there under. I agree with the Fee Schedule and all the terms and conditions notified by BMC.

Signature

Place : _____

Date : _____

SCHEDULE OF FEES FOR JUNIOR LAWYER

Panel	Courts	Admission	Final Hearing
'A'	High Court	40,000/-	50,000/-
		Interim stage on framing of issues.	Final Hearing
'B'	City Civil Courts, Small Causes, Labour and Industrial Court.	35,000/-	40,000/-
'C'	Metropolitan Magistrate Courts (Shindewadi, Dadar & Vile Parle) etc.	5,000/-	10,000/-

Sd/-

Adv. Sunil Sonawane
Law Officer

SCHEDULE OF FEES OF JUNIOR LAWYERS FOR DRAFTING

Payment of fees will be inclusive for drafting any applications, submissions etc in respect of assigned matters. However, in cases where the matter is assigned exclusive for drafting the following schedule of fees shall be applicable.

Panel	Courts	Application (N.M./Ch.S/ E.T.C.)	Appeal / Petition / S.L.P.
'A'	High Court	25,000/-	50,000/-
'B'	City Civil Courts, Small Causes, Labour and Industrial Court.	20,000/-	
'C'	Metropolitan Magistrate Courts (Shindewadi, Dadar & Vile Parle) etc.	10,000/-	

Sd/-

Adv. Sunil Sonawane
Law Officer