

NOTICE INVITING EXPRESSION OF INTEREST (EOI)

FOR

EMPANELMENT OF LAW FIRMS / ADVOCATES PAN INDIA

FOR LEGAL CONSULTANCY AND ATTENDING COURT

CASES

EOI Ref: HLL/CS/CHO/Legal/EoA/24-25



BY

HLL Lifecare Limited
(A Government of India Enterprise)

HLL Bhavan - Corporate Head Office,
Poojappura - PO | Thiruvananthapuram - 695012,
Kerala, India

URL: www.lifecarehll.com
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CIN: U25193KL1966GOI002621.

NOTICE INVITING e-EXPRESSION OF INTEREST

**HLL Lifecare Limited
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Date: 19-11-2024

Sub: Empanelment of Advocates/ law firms PAN INDIA for legal consultancy and attending court cases of HLL Lifecare Limited (HLL).

1. HLL Lifecare Limited (HLL) is a Mini Ratna Government of India Enterprise, under the Ministry of Health & Family Welfare, originally established in 1966 to manufacture and supply condoms to Family Planning Program of Government of India. HLL are the major suppliers of condoms and other contraceptive products including IUD's, tubal rings, and Oral contraceptive Pills for the Government of India – National Family Programs. Further, HLL is one of the major players in the commercial market in India, and our flagship brand MOODS Condoms is the second largest in the Indian commercial Market. HLL is also one of the largest producers of Blood collection bags in the country and suppliers to UNFPA and other global procurement agencies.

Over the last 2 decades, HLL has transformed – from a Condom company to a Healthcare delivery company. HLL diversified into other areas in healthcare including hospital products, pharmaceuticals, hospital infrastructure management, procurement consultancy, pharma retailing, vaccines and diagnostic services.

At present HLL has 7 state-of-the art manufacturing facilities spread across India. HLL also has 4 subsidiary / associate organizations, HLL Infratech Services Limited (HITES) for hospital Procurement of Medical

equipments/items and for infrastructure development, Hindustan Latex Family Planning Promotion Trust (HLFPPT), a not-for-profit trust engaged in Social Marketing, Goa Antibiotics and Pharmaceuticals Limited (GAPL) and HLL Management Academy (HMA) .

HLL is also the implementing partner across the country for Health Ministry’s flagship program – AMRIT (Affordable Medicines and Reliable Implants for Treatment) through which drugs are made available at highly discounted rates.

2. Accordingly, HLL is in the process of empanelment of Advocates/Law Firms and invites EXPRESSION OF INTEREST (EOI) for Empanelment of Law Firms/Advocates to represent HLL before the District courts / other forums i.e Lower courts, Labour courts, Consumer Dispute Redressal Forums, Commissions, MSEFC, Tribunals other statutory, Quasi Judicial forums etc and for legal advisory work.
3. The empanelment is called for the following category:

Category no.	Service classification
Category-1	District courts / other forums i.e. Lower courts, Labour courts, Consumer Dispute Redressal Forums, Commissions, MSEFC, Tribunals, other statutory, Quasi Judicial forums etc.

4. Applicants may download the EOI document from the websites URL addresses: <http://www.lifecarehll.com/tender>, & <https://etenders.gov.in/eprocure/app> and submit their applications online.
5. Any conditional Applications shall be summarily rejected.
6. It is the responsibility of participants to go through the EOI to ensure furnishing all required documents in addition to above, if any.
7. Submission of Expression of Interest or meeting the eligibility criteria by advocate / Law firm does not entitle them for empanelment on panel of

advocates of HLL and HLL reserves it right to reject any application / EOI received for empanelment of advocates / law firms without assigning any reason. Moreover, HLL have the full right to continue with / appoint any advocate other than the advocates / Legal firms empanelled and are not claimable. The empanelment of any advocates / legal firms does not give any assurance / commitment to engage their service during the empanelled period by HLL.

8. The empanelment shall be valid for 5 years and may further extend upon mutually agreed terms and condition including fee structure.
9. The Applicant **should mention / specify the courts they are willing to get empanelled specifying the District courts / other forums i.e Lower courts, Labour courts, Consumer Dispute Redressal Forums, Commissions, MSEFC, Tribunals, other statutory, Quasi Judicial forums etc.**
11. The Applicant should mention the contact address with pincode, e-mail id and Mobile no. / Landline no.
12. Other details in this tender are indicated below:-

Sl.	Description	Schedule
1	Closing date & time for submission of online Applications	10-12-2024, 15:00hrs IST
2	Time and date of opening of Applications	11-12-2024, 15:00hrs IST

13. **The Applications shall be submitted online only**, as mentioned below:
 - (i) Commercial Application (Consisting of documents fulfilling eligibility criteria & Commercial Conditions). Applicants may name the files indicating the nature of content in pdf format which is required to be attached in e-EOI.

DO NOT'S

Applicants are requested **NOT** to submit the hard copy of the EOI documents. In case any document is submitted in physical form (hard copy), the document shall be straightaway rejected.

Note:

It is the responsibility of tenderer to go through the EOI Document to ensure furnishing all required documents in addition to above, if any. Any deviation would result in REJECTION of tender and would not be considered at a later stage at any cost by HLL.

14. In case of any queries, all prospective Applicants may send their queries, if any on the email id: legal@lifecarehll.com, within 2 weeks from publishing this EOI (i.e on or before 02-12-2024). Any query received after the scheduled time will not be considered.
15. In the event of any of the above mentioned dates being declared as a holiday in the organisation, the next working day will be considered as per prescribed venue & time.
16. There is NO PROVISION of uploading late tender beyond stipulated date & time in the e-tendering system. HLL reserves the right to accept or reject all/or any of the tenders in full or part without assigning any reason thereof.
17. Amendments, if any, to the tender will be published only in HLL website / portal of www.lifecarehll.com, and CPP portal only.
18. **SPECIFIC Instructions for e-Tender Participation:-**
 - i. Applicants should have valid Class 3 Digital Signature Certificate with encryption.
 - ii. Applicants are requested to read the tenderer's help document on e-tender web site link before proceeding for submitting their Application.

- iii. The prospective Applicants have to register with the E-procurement system of HLL at <https://etenders.gov.in/eprocure/app>. On completion of the registration process, the Applicants will be provided user ID and password within 7 working days. In order to submit the Applications electronically, Applicants are required to have a valid Class 3 Digital Signature Certificate (signing and encryption/ decryption certificates).
- iv. Applicants are requested to register for issuance of User ID and Password well in advance in order to avoid last minute rush. The process normally takes 03 days' time.
- v. Post receipt of User ID & Password, Applicants can log on for downloading & uploading tender document.
- vi. Tenderer may download the EOI document from the web site www.lifecarehll.com or [www.etenders.gov.in/eprocure/app](https://etenders.gov.in/eprocure/app).
- vii. The submission of online documents can only be done through <https://etenders.gov.in/eprocure/app>.
- viii. This EOI is an e-Tender and is being published online in Government e-Procurement portal, <https://etenders.gov.in/eprocure/app>.
- ix. Applicants shall ensure that their submissions are complete in all respects and are to be submitted **online through e-procurement portal (as described above). No DEVIATION is acceptable.**
- x. A person signing (manually or digitally) the EOI form or any documents forming part of the contract on behalf of another shall be deemed to warrantee that he has authority to bind such other persons and if, on enquiry, it appears that the persons so signing had no authority to do so, HLL may, without prejudice to other civil and criminal remedies, cancel the contract and hold the signatory liable for all cost and damages.

- xi. All the necessary documents as prescribed in the EOI document shall be prepared and scanned in different files (in PDF format as prescribed) and uploaded for on-line submission of tender/Application.
- xii. Documents should be uploaded **online only** in the prescribed format given in the website. No other mode of submission shall be acceptable.
- xiii. The prospective Applicants may **scan the documents in low resolution (75 to 100 DPI)** instead of 200 DPI. The documents may be scanned for further lower resolution (if possible). This would reduce the size of the Cover and would be uploaded faster. The tenderer should however ensure the clarity and legibility of the text.
- xiv. The Individual file size of uploading is restricted to 3 MB. Applicants may upload multiple files (Not exceeding 3 MB individually) & relevant file name indicating the contents.

Head Legal

HLL Lifecare Ltd.

(A Government of India Enterprise)

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Kerala, India

SECTION-1
SCOPE OF WORK

Scope of Work:

The empanelled Advocates and/or Law firm(s) shall be required to assist HLL in the following activities as assigned from time to time.

- i. To provide opinion/ advice on various legal issues arising out of the functions of HLL
- ii. Assistance in drafting regulations, notices, policies or Manuals etc.
- iii. Legal vetting of orders, decisions, concept papers, Application/tender documents, undertakings / indemnity bonds / Agreements / Contracts / MoU / MoA / NDA / Deeds / Petition Reply etc.
- iv. Review / Concur and support/draft other legal documents and provide legal services which HLL may require from time to time to carry out its operations.
- v. To prepare various record note of proceedings of various hearings, handle all court / Tribunal matters.
- vi. To perform such other work of legal nature as may be directed / entrusted by HLL from time to time.
- vii. To handle arbitration cases for HLL arising out of any contract Agreement and MoUs.

SECTION-2
QUALIFICATION CRITERIA

A. Experience:

For District courts / other forums i.e Lower courts, Labour courts, Consumer Dispute Redressal Forums, Commissions, MSEFC, Tribunals, other statutory, Quasi Judicial forums etc: Minimum 5 years experience in District Courts/Tribunals.

B. Eligibility Criteria

1. The advocate / firms shall **specify the district** and state applied for.
2. Self attested **proof of having handled at least one case per district** by the applicant appeared for the case. The empanel merit shall be considered only for those Districts for which proof was submitted by the applicant.
Note: The proof shall be (i) copy of judgment in case of personal clients or (ii) Either copy of judgment or confirmation from a client in their letter head, in case the client is a company.
3. Copy of **PAN**
4. Copy of **valid identity card issued by Bar council / Bar association.**
5. Detailed **Resume** of the applicant with **a write up on the major cases handled.**
6. **Declaration as per the Format-01** enclosed in this EOI.

In addition to above, the following documents shall be submitted if the applicant is a law firm:

7. **Copy of Certificate of incorporation or partnership deed or other equivalent documents.**
8. Power of Attorney/authorization in favor of the signatory for signing the bid on behalf of the law firm.

SECTION-3
OTHER CONDITIONS

Tenure / Term of Empanelment :-

The initial empanelment shall be for five years (extendable upto 3 years) or until further orders. Performance of empanelled advocate/ Law firm shall be reviewed on an annual basis. However, on completion of the term and satisfactory performance of the advocate/law firm, HLL may renew the empanelment for a period of another three year. However, HLL reserves the rights not to empanel any advocate/ Law firm or renew its period or terminate its empanelment at any time without assigning any reason. Upon termination or non renewal of the acknowledgement concerned advocate/ Law firm shall return to HLL a report about all the assignments entrusted to him/them along with connected documents and records with no objection certificate.

Jurisdiction:

The Courts at Thiruvananthapuram will have exclusive jurisdiction to settle any dispute arising out of or in connection with this EOI.

General:

- Mere submission of application/ proposal does not imply acceptance of the same at this end and the protecting advocate/law firm will be enlisted only after meeting the laid down qualifying parameters for which decision of HLL shall be final and binding on the parties.
- HLL reserves the right to award similar work/services any time during the period to one or more parties.
- Empanelment with HLL does not ensure business of any quantum, whatsoever. HLL reserves the right to engage other advocates/firm for similar work on any other firm. Any deviation from the Terms & Conditions mentioned above will imply disqualification for the advocate/ Law firm.

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

Terms & Conditions

1. The empanelled advocates / law firms should comply the following terms & conditions, if they are assigned with any case:
 - i. The Advocates / Law firms should inform the dates for hearing /sitting as soon as they are decided and must also inform the concerned officials of HLL through email at least 2 days prior to the sitting / hearing.
 - ii. The Advocates / Law firms should submit a detailed report regarding the events to the concerned officials of HLL through email within 1 working day after each hearing / sitting.
2. The fees shall be paid only for effective hearing.
3. The panel shall be valid for a period of 5 years and the performance of the empanelled advocates / law firms shall be subject to review on yearly basis and if the performance of any advocate / law firm is found unsatisfactory, the advocate / law firm shall be deleted from the panel of advocates without any notice thereof.
4. The empanelment does not provide any commitment by HLL to the empanelled advocates / law firms that any work would be assigned to them during the empanelment.
5. The fee structure in a prescribed format shall be obtained by HLL on case to case basis and the advocates / law firms should submit their fee structure through email within 2 days from the request received from HLL. In case if two or more cases of similar nature is being heard by the court together, then it will be considered as single hearing and accordingly the fees for 1 hearing only will be paid and not for each case separately.

6. Should comply and agree with all the conditions / points / clauses / details mentioned in this EoI including Annexures / formats, if any.

DEBARRING PROVISIONS OR REMOVAL FROM PANEL

1) The advocates or laws firm may (on discretion of HLL) be debarred from empanelment present and /or in future, for the following reasons:

- a. If the empanelment is obtained on the basis of false information/ mis-statement.
- b. If the terms & conditions of empanelled letter is not obliged with.
- c. If the legal brief is shared / handed over to other advocates / law- firms / others without prior written permission of HLL.
- d. If advocate- client privileges are not abided with.
- e. If they fails to maintain / honour the confidentiality and secrecy of HLL's data, statement and any other information.
- f. If they fails to attend the hearings/postings of the case without sufficient reason or prior information to HLL.
- g. If information relating to HLL's case is shared with to opposite party or their advocates, etc. which is likely to damage or cause damage to HLL's interest, legal or otherwise.
- h. If false and/or misleading information is provided to HLL relating to the proceedings of the case.

- i. If they threaten and/or intimidate and/or abuse any of the employees or officers or representatives of HLL.

- j. If they refuse to return the brief when requested by HLL.

- k. If the law firm indulges in any misappropriation of HLL funds in any form OR/AND Commit an act which tantamount to contempt of court or professional misconduct.

- l. If they fail to adhere to HLL's specific instruction repeatedly for more than 3 times.

- m. If they take frequent adjournments and do not object to the adjournments moved by other party without sufficient reason.

Empanelment shall be liable to be cancelled consequent upon occurring of any or all of the above said conditions / events.

FORMAT-01
DECLARATION

EOI Ref: HLL/CS/CHO/Legal/EoA/22-23

I / We, hereby agree to abide all the terms and condition of the Expression of Interest (EOI) No. HLL/CS/CHO/Legal/EoA/24-25.

I / We, hereby declare that I am / we are fulfilling the eligibility criteria mentioned in this Expression of Interest (EOI) No. HLL/CS/CHO/Legal/EoA/24-25.

I / We, hereby certify that all the information and data furnished by me/our organization with regard to this Expression of Interest (EOI) are true and complete to the best of our knowledge. I / We have gone through the conditions and stipulations in details and agree to comply with the requirements and intent of it as mentioned in EoI.

I / We further certify that myself/ our organization meets all the conditions of eligibility criteria laid down in this EOI document.

I / We further specifically certify that our organization has not been Black Listed/De-Listed / debarred / suspended or put to any Holiday by any Institutional Agency/ Govt. Department / Public Sector Undertaking/ Court in the last three years.

I / We hereby certify that in the last three years, me / neither the firm nor any of its engaged lawyers/employees have failed to perform the contract or expelled from any contract or have had any contract terminated for breach due to me / us.

I / We further certify that there is no criminal case registered against me / us.

I / We, hereby confirm that I / we / our firms shall not appear / is appearing presently against HLL in any legal proceedings before any forum / court, if we are empanelled with HLL.

I / We, hereby certify that I am / we are offering 100% services from India for the services required under this EOI and hence falls under the category of 'Class 1 local supplier' as defined in Public Procurement (Preference to Make in India), Order 2017 as amended from time to time.

I / We, hereby declare that the consortium / associate firms / individually (in case of firm) are not from those countries sharing borders with India and not restricted UNDER RULE 144 (XI) OF GFR 2017.

I / We hereby confirm that during and after conclusion of the assignment, the details shall not be disclosed or made use in any manner, any information/data or any other material whether written or oral collected in connection with the assignment, without the prior written consent of the Authority(ies) of HLL. All material shall be the property of HLL.

NAME & ADDRESS of Individual/Firm Phone Fax E-mail Contact Person Name
Mobile Number Service Tax Number PAN Number.

Name & Seal of the firm / Advocate

FORMAT-02

CHECKLIST		
Sl No.	Point	Submitted (mention Yes (✓) or no (x))
1	Whether all the pages of the EOI duly signed & numbered before uploading	
2	Whether specifically mentioned the name of the district and its state applied for, as per the requirement in the eligibility Criteria? Note: Please don't mention as PAN INDIA basis. The bids specifying the district shall only be considered for evaluation.	
3	Whether Self attested proof of at least one case per district is submitted as per the requirement in the eligibility Criteria? Note: The proof shall be (i) copy of judgment in case of personal clients or (ii) Either copy of judgment or confirmation from a client in their letter head, in case the client is a company	
4	Whether copy of PAN card submitted?	
5	Whether copy of valid identity card issued by Bar council / Bar association submitted?	
6	Whether detailed Resume of the applicant with a write up on the major cases handled.	
7	Whether duly sealed and signed declaration in FORMAT-01 submitted?	
8	Whether copy of Certificate of incorporation or partnership deed or other equivalent documents submitted? <u>(Note: Applicable only for law firm and not for individual applicants)</u>	
9	Whether Power of Attorney/authorization in favor of the signatory submitted for signing the bid on behalf of the law firm? <u>(Note: Applicable only for law firm and not for individual applicants)</u>	