



भारतीय राश्ट्रीय राजमार्ग प्राधिकरण
(सड़क परिवहन और राजमार्ग मंत्रालय)
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**NHAI / Policy Guidelines / Empanelment of Law Firms /
Advocates in ROs / PIUs / 2017**

No.2.5.10/2017, Dated the 6th September, 2017

(Decision taken by Executive Committee in the meeting held on 21.08.2017 on Agenda Item No.314.07)

Sub: Empanelment of Law Firms/ Advocates in ROs/ PIUs of NHAI.

Refer Policy Circular dated 04.09.2014 (Admn/Fin-142/2014) and 10.09.2015 (Admn/Fin-163/2015) in which directions were given to form a panel of minimum 5 advocates at RO level for dealing with the cases at High Court level and a panel of minimum 5 advocates at PD level for dealing with the cases at District Court/ Tribunals and to rotate the cases among these advocates so as to avoid one or two advocates monopolizing the cases of NHAI. In the meeting of Executive Committee held on 21.08.2017, it has been decided to empanel maximum 5 Law Firms and 5 individual Advocates at RO level (5+5 for land acquisition & 5+5 for contractual disputes) and PIU level (5+5 for land acquisition) by inviting Expression of Interest (EOI) applications, evaluating the received applications as per the following criteria and empanelling them based on the marks scored in the descending order:

1.1 The minimum qualifying experience in the relevant field is 10 years for empanelment in ROs and 5 years for empanelment in PIUs. The relevant field is Arbitrations/ Court Cases of PSUs/ Govt. Departments on land acquisition in case of empanelment for PIUs and land acquisition & contractual disputes separately in case of empanelment for RO.

1.2 The applications from individual advocates/ law firms meeting above minimum qualifying experience shall be taken up for detailed evaluation as under :

(i) In case of individual Advocate having minimum qualifying experience in relevant field [Ref.Para-1.1 above], 5 marks may be given. In case of Law Firm, 5 marks may be given for each Advocate/ Associate having minimum qualifying experience in relevant field [Ref.Para-1.1 above].

(ii) Additional Advocates associated with the applicant:

(a) Empanelment at RO level : 2 marks may be given for each Advocate having more than 5 years experience in relevant field and 1 mark for each Advocate upto 5 years experience.

(b) Empanelment at PIU level : 1 mark may be given for each Advocate having experience in relevant field below 5 years.

(iii) (a) Relevant Field (Land Acquisition) :

- ½ mark may be given for each award passed by the Arbitral Tribunal in land acquisition cases of PSUs / Govt. Departments subject to submission of details of awards / briefs of the matters.

- For the cases in land acquisition of PSUs / Govt. Departments: 1 mark for each case decided by Hon'ble District Court; 2 marks for each case decided by Ld. Single Judge of Hon'ble High Court; 3 marks for each case decided by Hon'ble Division Bench; 4 marks for each case decided by Hon'ble Supreme Court; and 5 marks for each landmark judgment subject to submission of citation.

(b) Relevant Field (Contractual Disputes):

- 5 marks may be given for each award passed by the Arbitral Tribunal in the cases of Contractual Disputes of PSUs / Govt. Departments subject to submission of details of awards / briefs of the matters.
- For the cases of Contractual Disputes of PSUs / Govt. Departments: 2 marks for each case decided by Ld. Single Judge of Hon'ble High Court; 3 marks for each case decided by Hon'ble Division Bench; 4 marks for each case decided by Hon'ble Supreme Court; and 5 marks for each landmark judgment subject to submission of citation.

(iv) Advocate/ Law Firm shall agree to the applicable fee structure of NHAI.

2. RO may invite EOI in the similar lines of EOI invited by HQ (placed on website of NHAI) for empanelment of individual advocates/ law firms as above in RO and PIUs under jurisdiction of RO, evaluate and send the final list of empanelment for approval of Member(A).



(A.K. Sadhu)

Chief General Manager (Coordination)

To

All Officers and Employees of HQ/ ROs/ PIUs/ CMUs/ Site Offices.