

Request for Applications

For

Empanelment of Advocates/Law Firms, for handling Bank's cases above Rs. 100.00 Crores under Insolvency and Bankruptcy Code 2016.

Date: 30.03.2019

Issued By:

**State Bank of India,
Stressed Assets Resolution Group
Corporate Centre,
Mumbai**

SCHEDULE OF EVENTS

Application Document Availability	Application document can be downloaded from our website http://www.sbi.co.in from 10 A.M. on 30.03.2019 onwards
Last date of submission of Application	20.04.2019 (upto 05:00 PM)
Contact Person Details	Mr. R. K. Sharma, AGM (NCLT) Landline: 022-62866412 Mr. Salim Khan, DM Law Landline: 022-62866413
Address for Communication and Submission of Applications	As per list of our Stressed Assets Management Branches (Annexure-A)
All queries/communications relating to this Advertisement may be sent to	nclt@sbi.co.in

1. Introduction: State Bank of India (“SBI” or “the Bank”) is the largest Bank with a network of approx. 22100 branches spread across India. The SBI also has presence in 37 countries across the globe.

The Bank seeks to empanel eligible Advocates/Law Firms for handling Bank’s Cases above Rs. 100.00 Crores under the Insolvency and Bankruptcy Code 2016 before NCLAT/NCLTs across the country.

2. Background: State Bank of India (SBI) invites applications from eligible Advocates/Law Firms, having office(s) at places where NCLT benches are established and requisite qualification and experience as per the eligibility criteria as set out in **Annexure ‘B’**. The objective of this advertisement is to identify and empanel eligible Advocates/Law Firms having requisite capability, experience & expertise and are interested in providing services to SBI as detailed in this document.

2(a). Submission of Application: Applications are invited in sealed envelope superscripted as **<Application for empanelment of Advocates/Law Firms>**.

- i. From the applicants who meet the eligibility criteria as set out in **Annexure ‘B’**, and
- ii. Agree to abide by the terms and conditions contained in this Request for Applications document.

Sealed envelope containing complete set of hard copy of application along with enclosures, if any, should be submitted by Post to or delivered in person at any of our Stressed Assets Management Branches, listed in Annexure-A:

“Deputy General Manager
State Bank of India,
Stress Assets Management Branch _____,
Address: _____,

_____”

3. Applicant's Eligibility Criteria:

This process is open to all applicants who fulfil the eligibility criteria as set out in **Annexure- 'B'** of this document. Applicants should furnish information as per **Annexure-C** and/or **Annexure-D**, as the case may be. **Law Firms already empanelled with SBI need not apply.**

4. Scope of Work: - Applicants should comprehensively describe their experience. Any additional details which applicant may seek to provide, please submit the same in an annexure along with application.

5. Process before submission of Applications:-

- i. **Raising of queries/clarifications on Request for Application document:** Applicants requiring any clarification on this document should submit their queries through email to: nclt@sbi.co.in or may call at 022-62866413.
- ii. **Modification in Request for Application document:** SBI reserves its rights to modify any part of this document at any time prior to the deadline for submission of applications. Such change(s)/modification(s), if any, may be in the form of an addendum/corrigendum and will be uploaded in Bank's website - <http://www.sbi.co.in>. All such change(s) will automatically become part of this Request for Application and binding on all applicants. Interested applicants are advised to regularly refer our website.
- iii. **Extension of date of submission of Applications:** Request for extension of date for submission of Applications will not be entertained. However, the SBI at its discretion may extend the deadline in order to allow prospective applicants a reasonable time to take the amendment/changes, if any, into account.

6. Format and Signing of Applications:

- i. The applicants to submit their applications strictly as stated in this Request for Application document.
 - a. Application should be typed and submitted on A4 size paper, spirally and securely bound and with all pages therein in serial order.
 - b. All pages of the application should be signed. Any interlineations, erases or overwriting shall be valid only if the person(s) signs and authenticates them. The application should bear the signature and rubber stamp of the applicant on each page except for the un-amendable printed literature.
 - c. Contact details of the applicant are to be provided as under: -

Particulars of Authorized signatory for signing the Application and Authorized contact person

Name:

Designation:

Email id:

Landline:

Mobile No.:

Fax No.:

Address:

- ii. The applicants should demonstrate in applications that they meet all parameters given in **Annexure- 'B'** of this Request for Application.



7. Last Date for submission of Application:

The last date for submission of Application is **20.04.2019 up to 5.00 P.M.** In case the designated day is declared a holiday, the next working day will be deemed as the last date for submission of Application.

8. Process after submission of Applications:

- i. All applications received by the designated date and time will be examined by the Bank to determine if they meet eligibility criteria/terms and conditions mentioned in this document including its subsequent amendment(s), if any, and whether applications are complete in all respects.
- ii. On scrutiny, any application not found in desired format/ illegible/ incomplete/not containing clear information, or failing to fulfil the relevant requirement will be rejected for further evaluation process at the sole discretion of SBI.
- iv. SBI reserves the right, at any time, to waive any of the requirements of this Request for Application document if it is deemed in the interest of SBI.
- v. If deemed necessary, the SBI may seek clarifications on any aspect of Application from the applicant. If a written response is requested, it must be provided within 02 working days by email. The responses received beyond 02 working days, if any, may not be considered. However, that would not entitle the applicant to change or cause any change in the material particulars of their application already submitted. SBI may also make enquiries to verify the past performance of the applicants in respect of similar work. All information submitted in the application or obtained subsequently will be treated as confidential.
- vi. SBI may shortlist the applicants who fulfil the eligibility criteria, have experience and capability as per its requirement and who agree to abide by the terms and conditions of the Bank. SBI at its sole discretion may call the applicant for interaction/presentation before the Appropriate Authority before shortlisting. The Applicant will have to bear costs for such interaction/presentation. SBI's judgment in this regard will be final.
- vii. Applicants will be advised about shortlisting of their Applications or otherwise. However, applicants will not be provided with information about comparative position of their applications with that of others.
- vii. Shortlisting or Empanelment by SBI does not create any right in favour of shortlisted or empanelled Advocate/Law Firm to get appointed as dealing Advocate/Law Firm in any case/matter under IBC.

9. Terms & Conditions

- i. Lodgement of application is evidence of an applicant's consent to comply with the terms and conditions of Request for Application process. If an applicant fails to comply with any of the terms, its application may be summarily rejected.
- ii. Wilful misrepresentation of any fact in the application will lead to the disqualification of the applicant without prejudice to other actions that SBI may take. The application and the accompanying documents will become property of SBI.

- iii. SBI reserves the right to accept or reject any or all applications received without assigning any reason therefor whatsoever and the SBI's decision in this regard will be final. No contractual obligation whatsoever shall arise from the application process.
- iv. Any effort on the part of applicant to influence evaluation process may result in rejection of the application.
- v. SBI is not responsible for non-receipt of applications within the specified date and time due to any reason including postal delays or holidays in between.
- vii. SBI reserves the right to verify the validity of information provided in the application and to reject any bid where the contents appear to be incorrect, inaccurate or inappropriate at any time during the process of application/empanelment.
- viii. Applicants shall be deemed to have:
 - a. examined the Request for application document and its subsequent changes, if any for responding to it.
 - b. examined all circumstances and contingencies, influencing their application and which is obtainable by the making of reasonable enquiries.
 - c. satisfy themselves as to the correctness and sufficiency of their applications and if any discrepancy, error or omission is noticed in the application, the applicant shall notify the Bank in writing on or before the end date/time.
- ix. The applicants shall bear all costs associated with submission of application desired by SBI. SBI will not be responsible or liable for any cost thereof, regardless of the conduct or outcome of the process.
- x. Applicants must advise the SBI immediately in writing of any material change to the information contained in the application, including any substantial change in their ownership or their financial or technical capability. Copies of relevant documents must be submitted with their advices.
- xi. Shortlisted applicants must not advertise or publish the same in any form without the prior written consent of SBI.
- xii. SBI shall have the right to cancel the empanelment process itself at any time, without thereby incurring any liabilities to the affected applicants.

10. Disclaimer:

SBI is not committed either contractually or in any other way to the applicants whose applications are accepted. The issue of this Request for Applications does not commit or otherwise oblige SBI to proceed with any part or steps of the process.

Subject to any law to the contrary and to the maximum extent permitted by law, SBI and its directors/officers/employees/contractors/agents and advisors disclaim all liabilities (including liability by reason of negligence) from any loss or damage, cost or expense incurred or arising by reasons of any person using the information and whether caused by reasons of any error, omission or misrepresentation in the information contained in this document or suffered by any person acting or refraining from acting because of any information contained in this Request for Application document or conduct ancillary to it whether or not the loss or damage arises in connection with any omission, default, lack of care or misrepresentation on the part of SBI or any of its officers, employees, contractors, agents or advisors.

The Bank reserves the right to reject any application for empanelment of Advocate/Law Firm without obligation.

List of Stressed Assets Management Branch:

S. No.	Branch Name	Address
1	Stressed Assets Management Branch Ahmedabad	Param Siddhi Complex, II Floor, Opp. V S Hospital Elis Bridge, Ahmedabad, Gujrat 380007
2	Stressed Assets Management Branch Bangalore	2 nd Floor, Complex Building, #65 St. Marks Road, Local Head Office Campus, Bangalore, Karnataka 560025
3	Stressed Assets Management Branch Bhopal	First Floor, 1-Arrera Hills, Near District Jail, Bhopal-462001
4	Stressed Assets Management Branch Bhubaneswar	A/34, Ocard Bank Building, 4th Floor, Pandit Jawaharlal Nehru Marg, Bhubaneswar, Khurdha, Orissa 751001
5	Stressed Assets Management Branch Chandigarh	1 st Floor, Local Head Office Building, Sector 17, Chandigarh 160017
6	Stressed Assets Management Branch Chennai	2 nd Floor, 32 Monteith Road, Red Cross Building, Egmore, Chennai, Tamilnadu
7	Stressed Assets Management Branch Coimbatore	1112, Raja Plaza, Avinashi Road, Coimbatore 641037
8	Stressed Assets Management Branch Ernakulam	7 th Floor, Vankarath Towers, Bye Pass Junction, Palarivattom, Ernakulam 682011
9	Stressed Assets Management Branch Guwahati	Girish Mansion, M R D Road, Bamunimaidan Kamrup, Guwahati, Assam 781021
10	Stressed Assets Management Branch Hyderabad	House No. 3-4-1013/A, New Bus Station, 1st Floor, TSRTC, Kachiguda, Hyderabad 500027
11	Stressed Assets Management Branch -I Kolkata	8th Floor, 11 & 13, Nagaland House, Shakespeare Sarani, Kolkata 700071
12	Stressed Assets Management Branch -II Kolkata	Jeevandeep Building, 1 st Floor, Middleton Street, Kolkata
13	Stressed Assets Management Branch Lucknow	2, Tilak Marg, Near National P.G. College, Lucknow (UP)
14	Stressed Assets Management Branch Ludhiana	Fountain Chowk, Civil Lines, Zonal Business Office Building, Ludhiana, Punjab 141001
15	Stressed Assets Management Branch - I Mumbai	The Arcade, 2nd Floor, World Trade Centre, Cuffe Parade, Colaba, Mumbai, Maharashtra 400005
16	Stressed Assets Management Branch - II Mumbai	Ground Floor, Wing- B, Raheja Chamber, Free Press Journal Marg, Nariman Point, Mumbai 400021
17	Stressed Assets Management Branch - I New Delhi	12 th Floor, Jawahar Vyapar Bhawan, STC Building No.1, Tolstoy Marg, Janpath, New Delhi 110001
18	Stressed Assets Management Branch - II New Delhi	11 th Floor, Jawahar Vyapar Bhawan, STC Building No.1, Tolstoy Marg, Janpath, New Delhi 110001
19	Stressed Assets Management Branch Patna	5 th Floor, Administrative Building, J.C. Road, Patna 800001
20	Stressed Assets Management Branch Secunderabad	6-2-915, 5 th Floor, Rear Block, HMWSSB Compound, Khairtabad

Eligibility Criteria:

- a) The Advocate/firm for being included in the panel should have put in place atleast 7 years of successful practice before the Supreme Court/High Court(s)/Civil Court/DRT/DRAT/NCLT;
- b) The applicant should possess sufficient knowledge regarding Insolvency & Bankruptcy Code and the advocates/partners of the firm should be of undoubted legal acumen and unblemished integrity.
- c) The individual advocate or partners of the firm should be of good repute and have experience in attending to commercial matter and should also be familiar with the Insolvency & Bankruptcy Code, Banking Law & Practice, Company Law, Contract Act, Specific Relief Act, SEBI Regulations etc. as well as special laws governing recovery of moneys due to the Bank and should be willing to bestow personal attention to the work entrusted.
- d) The advocate/firm should be willing to abide by Bank's terms and conditions as to fees, charges, submission of pleadings for approval, etc.
- e) The advocate/firm should undertake that after empanelment he/she/they shall not appear/advise against any branch or office of the Bank and will also not represent interests which are adverse to the Bank's interests.

(Please specify the Branch/Centre where applicant is interested to be empanelled)

Please affix recent passport size photograph

Proforma for Bio-Data of applicant Advocate

S. No.	Particulars	Details
i	Name in full	
ii	Date of Birth	
iii	Address Office with Telephone Number	
	Address Residence with Telephone Number	
iii	Contact Details	
	Fax (if any)	
iv	Email Address	
v	Academic Qualifications	
v.a	Date of Enrolment in Bar Council	
v.b	Registration Number	
vi	Whether you belong to SC/ST/OBC	
vii	Whether practicing in NCLT/ Civil/ Criminal Side	
vii.a	Principal Place of practice	

vii.b	Place of practice where NCLT Bench established			
viii	Other Courts appearing in			
ix	Whether you are appearing on behalf of any Bank/ Financial Institution/ Operational Creditor/ Corporate Debtor? Details	Name of the Corporate Debtor	Name of the party appeared for	Concerned NCLT Bench
x	Have you been de-panelled any time? Give Details			
xi	Total Experience at Bar			
xii	Are you an Income Tax Assesse			
xiii	PAN Details			
xiv	Are you appearing in any Suit or Other Proceedings against the State Bank of India? If yes, give details			

xv	Have you suffered any Professional Misconduct Proceedings before Bar Council? If yes, give details	
xvi	Details of Professional Achievements, if any:	

xvii. I undertake to refrain from appearing against State Bank of India in any suit, proceedings, enquiries which are pending disposal or proposed to be filed, nor would I offer any advices or opinions to any clients/parties, including companies and institutions, which may affect the interests of the bank; and I am agreeable to the advocates' fees structure fixed by the State Bank of India for the matters entrusted to me. I am also aware that I am not entitled to: (a) Retainer fee, (b) Travelling expenses and (c) Claim Junior Advocate's fee, unless specifically agreed to in writing by the Bank. Bank has right to depanel or take necessary action against me, if any of the particulars given hereinabove are found to be misleading/untrue or on account of professional misconduct or negligence attributable to me/us or my/our authorised representatives.

xviii. I am enclosing copies of LLB degree certificate and Bar Council enrolment certificate duly attested. I request you to consider my name for empanelment in the Bank's Panel of Advocates

Yours faithfully,

(NAME:.....)

Date :

Place :

 (Please specify the Branch/Centre where applicant is interested to be empanelled)

Proforma for applicant Law Firms

1	Name of the Firm			
2	Address of the Firm			
3	Contact Details			
4	Fax Number			
5	E-mail ID			
6	Number of years for which the firm is in legal advisory business/practice <i>(Please enclose supporting papers)</i>			
7	Date or year from which the firm is on panel of SBI, If any <i>(Please enclose supporting papers)</i>			
8	Details of Partners <i>(Please attach separate sheet if required)</i>	Name of the Partner	Contact Details	Related NCLT Bench
9	Bio-Data as per Annexure C for each of the Partners <i>(Please attach separate sheet if required and enclose the copies of relevant testimonials with Bio-Data)</i>	Name of the Partner	Whether Bio-Data enclosed (Yes/No)	Whether copies of Testimonials enclosed (Yes/No)
10	Details of Firm's Offices at Centre(s) where NCLT Bench is established <i>(Please attach separate sheet if required)</i>	Name of the Centre	Firm's Office Address	Contact Details

11	Details of CIRP/Liquidation cases where Partners have appeared before NCLT for Financial Creditors/ Operational Creditors/ Corporate Debtors <i>(Please attach separate sheet if required along with copies of relevant Ordersheets containing the name of Firm/Partners)</i>	Name of the Corporate Debtor	Name of the party appeared for	Concerned NCLT Bench
12	Details of cases pertaining to scheme of Arrangements/ Merger & Acquisition/ Winding Up under Companies Act where Firm has extended legal services / advice <i>(Please attach separate sheet if required along with copies of relevant Ordersheets containing the name of Firm/Partners)</i>	Name of the Case		Concerned Court/Tribunal
13	Details of CIRP/Liquidation Cases where Firm/Partners acted as legal advisors to RP/COC <i>(Please attach separate sheet if required along with copies of relevant Ordersheets containing the name of Firm/Partners)</i>	Name of the Case		Whether CIRP or Liquidation
14	Details of partners who are qualified as Insolvency Professionals <i>(Please attach separate sheet if required along with copies of Certificates issued by IBBI)</i>	Name of the Partner		Date of Examination Passed
15	Details of Banks with which the Firm/Partner(s) are empaneled with <i>(Please attach separate sheet if required along with copies of Empanelment Letters issued by other Banks)</i>	Name of the Partner		Name(s) of the Bank
16	Details of the matters where Firm appeared against SBI in any suit/DRT or any other proceedings including CIRP			

17	Any other relevant information	
----	--------------------------------	--

Declaration :

1. I hereby confirm and declare that the information given hereinabove is true and correct to the best of my knowledge and belief. I hereby express interest of _____ (*name of the applicant Law Firm*) to act as Legal Counsel on behalf of the Bank.
2. In case there is any change in the status of the position indicated above, the same shall be communicated to SBI forthwith.
3. Copies of relevant supporting papers/testimonials/orders etc. are attached.

Authorised Signatory

Date : _____

Place : _____