

HIMACHAL PRADESH HORTICULTURE DEVELOPMENT PROJECT

Dyerton Bizhub, Talland Bypass, Shimla-171001

Telephone: 0091-177- 2674465

E-mail: hdp-pd-hp@gov.in, Website "hds.hp.gov.in"

File No. HPHDP/PCU-

Dated:

HIRING THE SERVICES OF A LEGAL COUNSEL ON RETAINERSHIP BASIS

Services of a Shimla based practising Advocate are required as Legal Counsel on Retainership basis under the World Bank assisted HP-Horticulture Development Project (HPHDP). The period of engagement on Retainership basis shall be initially for 11 months which can be extended as per performance of the selected incumbent and the requirements of the project. Application form and Terms of Reference can be downloaded from the website of the Project www.hds.hp.gov.in.

Eligible Candidates who wish to apply should send written applications on the prescribed format along with self-attested testimonials copies of certificates on the above mentioned address **on** or before **19/03/2020** up to **3:00** p.m.

Project Director.

FORMAT: APPLICATION CUM CURRICULUM VITAE (CV)

NAME OF THE POST APPLIED: Legal Counsel
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1. Full Name:
2. Father's Name:
3. Nationality (attach a copy of evidence):
4. Complete Permanent Address (attach a copy of evidence):
5. Current Address:
6. Telephone/ Cell No.:
7. Email Address:
8. Date of Birth:
9. Current Designation (if any):
10. Current Employer's Full Address with contact email and phone number (if any):
11. Educational qualification (attach a copies of evidences):
12. Marital Status:

Paste recent
self-attested
passport
photo

Sr. No.	Examination	Specialization/stream	Year of Passing	Name of School/College	Name of Board/University	Class/Percentage of marks obtained
1.	HSLC/Class-X					
2.	HSLC/Class-XII					
3.	Graduation					
4.	Post-Graduation					

13. Training details relevant to the position applied (attach the copy of evidence):

Sr. No.	Training Field	Period of Training
1.		
2.		
3.		

14. **Language known:**
15. **Computer proficiency:**

16. **EXPERIENCE DETAILS:** *Starting with present status please list out assignments handled during last 7 years. The details relevant to present assignment and any other assignments may be listed separately)*

(starting from the latest):

<i>Years of experience (Provide certificates)</i>	Total:	_____ Years ____ Months
	Relevant to Post	_____ Years ____ Months

From [Month/Year]: _____ To [Month/Year]: _____		
Employer	:	
Position held	:	
Duties performed		{ Describe in brief the works handled / duties performed that Best Illustrate the Capability to handle the proposed tasks as per Job Description for the said post } <input type="checkbox"/> <input type="checkbox"/>

From [Month/Year]: _____ To [Month/Year]: _____		
Employer	:	
Position held	:	
Duties performed		{ Describe in brief the works handled / duties performed that Best Illustrate the Capability to handle the proposed tasks as per Job Description for the said post } <input type="checkbox"/> <input type="checkbox"/>

Add boxes as required

17. ANY OTHER DETAILS THE APPLICANT MAY LIKE TO ADD FOR STRENGTHENING HIS/HER ENTITLEMENT FOR THE ASSIGNMENT

Name of assignment or project: Year: Employer: Main features of the project: Positions held: Activities performed:	
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Add boxes as required

18. References: Mention any two references with their complete address and contact numbers.

19. Do you have any corruption or criminal charges pending against you (if yes, furnish Details).

20. Have you ever been arrested, indicted or summoned into court as defendant in a criminal proceeding or convicted, fined or imprisoned for violation of any law (if yes Furnish details).

21. Have you ever been discharged or forced to resign from any position (if yes, furnish details)

22. Certification:

I, the undersigned, certify that to the best of my knowledge and belief, this CV correctly describes myself, my qualifications, and my experience. I understand that any wilful misstatement described herein may lead to my disqualification or dismissal, if engaged.

[Signature of Applicant]

Date: _____

(Day/Month/Year)

Terms of Reference (TOR) for Legal Counsel on Monthly Retainership

1. Project background:

The Government of Himachal Pradesh (GoHP) is implementing World Bank funded Himachal Pradesh Horticulture Development Project (HPHDP) that Project Implementing Agency i.e. H.P. Horticulture Development Society (HPHDS) now intends to apply a portion of this credit for engagement of **Incumbent** on Retainership basis.

The project development objective (PDO) of the project is to support small farmers and agro-entrepreneurs to increase the “productivity, quality and market access of selected horticulture commodities in Himachal Pradesh”.

2. The project comprises of four components i.e.:

Component A: Horticulture Production and Diversification- The focus of this component is to enhance horticultural competitiveness at the farm level by supporting access to knowledge, technology and finance in order to increase long term productivity and farm income in an environment marked by changing market patterns and increased climate variability. This will be done by enhancing producer’s access to disease free planting materials, supporting sustainable intensification and diversification of horticultural production through technology and knowledge transfer, including harvest, capture, collection, delivery and distribution of water and strengthening applied research and development and enhancing the access to finance to producers. Thus it has following three sub-components:

A.1 Enhance availability and adoption of elite planting materials and horticulture technology transfer.

A.2 Promoting Climate Resilient Technologies and Adoption.

A.3. Facilitation of access to financial services and building financial capability

Component B: Value Addition and Agri-enterprise Development – The focus of this component is to improve value realization at the farm level, promote investments in agribusiness, fostering backward and forward linkages in the value chains for horticulture products, support supply chain infrastructure that prevent wastage and value erosion, and enable secondary and tertiary processing that creates higher value for the produce. This would be done by building community/farm level marketing capacitors and supporting them through matching grants to acquire productive assets, establishing a modern supply chain comprising pack houses, controlled atmosphere (CA) stores and processing facilities to be operated under Public Private Partnership (PPP) arrangements, Providing access to warehouse receipts systems linked to commodity exchanges, identifying, mobilizing and supporting agro entrepreneurs and facilitating access to finance for agribusiness enterprises, including collectives such as producers companies.

Component C: Market Development and sector stewardship– The focus of this component is to provide an improved platform for market-related information and intelligence, expand market access through alternative marketing channels, enhance transparency in the price discovery process, and improve market infrastructure. This will be done by supporting market information and intelligence services, introduction of e-marketing platforms and up gradation of whole sale markets.

Component D: Project Management, Monitoring and Learning– This component will ensure the effective implementation of project activities and monitor and evaluate project implementation progress, output and outcomes, building on implementation experience. this component will support establishment and operations of Project Coordination Unit (PCU), which will oversee and

coordinate activities of the implementing agencies of the project, establishment and operation of Project Implementation Units in the representative implementing agencies and setting up of monitoring and evaluation (M&E) system for the project, including a project management information system and contracting an external M&E agency to monitor project activities that are attributable to the outcome of project, consultancies, training and related material, office equipment and operational costs.

3. The project will achieve the proposed PDO by:

- i. Increasing the area under improved clonal rootstocks and cultivars of selected horticultural crops, improving the producers' access to knowledge and climate resilient production technologies so that they are able to respond to climate changes and climate variability and emerging market opportunities.
- ii. Promoting investments in agribusiness, fostering backward and forward linkages in the value chains for horticultural products, piloting negotiable warehouse receipts for horticulture commodities, facilitating access to finance for agribusiness entrepreneurs, and, where appropriate, push for process, regulatory and/or policy change.
- iii. Supporting the development of an improved platform for market related information and intelligence, alternative market channels development outside of regulated markets, and improved services for growers are provided by modernising the traditional wholesale markets.

4. Scope of Position

- 4.1. The principal task of the Incumbent shall be to advise the Project Implementing Entity in the Legal and Service related matters especially contract agreements on account of engagement of Foreign Consultancy besides engagement of resources into the Project activities,
- 4.2. Legal issue related to procurement and any other legal issue assigned by the Project Director.
- 4.3. Persons with experience of having dealt with legal matters related to multilateral funded Projects especially the arbitration cases in India and abroad, will be given preference.
- 4.4. Presently no case(s) of Arbitration or any other case is pending in any of the Court. However, cases if arises in future shall have to be defended

5. Essential Qualifications and Experience

Minimum qualification of a degree in Law from a recognized University; enrolled as an advocate with the Bar Council and at least 7 years Post qualification experience of handling cases particularly in District Court /High Court / Supreme Court.

6. Knowledge and skills:

1. Capability to function collaboratively and productively, in multidisciplinary environment
2. Ability to represent the organization in interactions with Central & State Government, and other stakeholders
3. Track record of implementing innovative idea and schemes in day to day working.
4. Ability and willingness to travel extensively.
5. Interpersonal and management skills with ability to work in a deadline –driven environment.
6. Possess team working capability
7. Good Command over MS-Office/ internet
8. Good communication skills in English and Hindi, both written and verbal.

7. Desirable Qualifications, Skills etc.:

- The candidate should have experience in the working of Externally Aided Projects especially the contract agreements with the International /Indian /Consulting firms. High Court/Supreme Court related matters including arbitration cases or other relevant experience. The relevant authenticated document of this effect is essentially required to be annexed.
- Should have Knowledge of local customs and dialects of H.P.

8. Computer Skills:

The Incumbent must have experience of using Internet based applications, using and working with advanced word processing/spreadsheet including MS Word, MS Excel and MS Power Point and other related applications.

9. Language:

Fluency in English and Hindi

10. Duty Station:

The duty of the legal counsel will be to advise the project Director on legal matters in the Project coordination unit (PCU)/ Project Implementation Unit(s) of the Project at Shimla. He or she will be required to travel within and outside the State for the Project purposes. The legal counsel shall use his/her own computer, transport etc.

11. Duration:

11 Months contract (with possibility of extension) Retainership basis extendable depending upon the of performance of the Incumbent.

12. Reporting

Incumbent shall assist the PCU/ PIU in legal matters as and when required.

13. Expected Fee

The Financial proposal shall be submitted in a separate sealed envelope clearly mentioning the same on the envelope as "Quote for Retainership Fee/Rates" as per Annexure-A appended to the TOR.

I. The Retainership fee for internal opinion in Official matters has been quoted as under: -

A) The internal opinion in official matters including procurement/contract agreements/service matters etc.	_____Rates quoted in INR per month.
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II. The rates for court case(s) has been quoted as under

B) For Court cases (case to case basis)	
(ii) In District Courts	_____per case
(iii) In the High Courts	_____per case
(iv) Arbitration cases	_____per case
(v) Supreme Court	_____per case

Note: -The rates for both the categories shall be evaluated separately.

The above quoted rates are negotiable / non- negotiable (strike off which is not applicable).