

**National Culture Fund
(Ministry of Culture)**

Puratatva Bhavan, 5th Floor, D-Block
GPO Complex, I.N.A., New Delhi – 110 023

Dated: 21st February, 2023

The National Culture Fund is a Public Charitable Trust (Notified by Govt. of India vide notification No. S.O. 832 (E) dated November 28, 1996) established by the Government of India under the Ministry of Culture as a mechanism to mobilize funds to preserve and promote Indian Art, Culture and Heritage.

The National Culture Fund (NCF) invites applications for empanelment of Legal Counsels/Law firms to represent the NCF and its Officers/officials before Delhi High Court and other courts and Tribunals in the cases assigned to him/her on the Terms and Conditions given below.

TERMS AND CONDITIONS:

1. **Eligibility Criteria:** For Legal Consultants: The applicant should have the following qualifications :

Essential:

- i. Bachelor's degree in Law from a recognized University / Institute;
- ii. Registration of the Bar Council of Delhi / New Delhi;
- iii. Five year experience in rendering legal advice and representing matters for a reputed organization, in Central Administrative Tribunal / High Courts.

Desirable:

Experience of having worked for Central /State Government or PSU / Autonomous organization or Society / Trust, owned by State Central Government.

- A. **Tenure:** The empanelment shall be made initially for a period of three years, which may be extended thereafter on yearly basis subject to performance of the Counsel to the Satisfaction of the NCF.

SCOPE OF WORK AND TERMS OF REFERENCE

A. LEGAL CONSULTANT

1. Interpretation of Rules and Legal Opinion in specific cases: **National Culture Fund**, was created to establish and nurture Partnership of Public and Private institutions /organizations, individuals, government and non- government agencies, foundations in the field of heritage. The role of NCF is to catalyze relationship and mobilize resources for the restoration, conservation, protection and development of India's rich, natural, tangible and intangible heritage. In this process the NCF enters in to Contracts/Memorandums of Undertaking (MoU) with the donor(s)/funder(s) and the executing agency (ies). In this process some specific issues may come up which may require interpretation of Rules/Acts/Laws while executing a Contracts/Memorandums of Undertaking. The legal consultation might be needed while a heritage project is being considered for taking up by the NCF. The donor(s)/funder(s) of any project may be a foreign individual/organization/foundation/trust etc.
The expertise of the legal consultant will also be required in other matters like staff related matters, matters regarding interference of other persons/bodies in execution of projects etc.
2. Legal vetting of MoUs / Contracts: After the final decision regarding taking up of a project is taken a draft MoU/Contract will be prepared and furnished to the legal consultant for vetting the same taking in to account all the associated legal issues. The vetting is to be done within the time specified in the letter forwarding the draft MoU/Contract.
3. Drafting of Applications/ MoUs / Contracts: Most of the MoUs / Contracts of NCF pertaining to projects are of similar type. Therefore, some common model MoUs / Contracts will be got prepared/vetted in the beginning itself. Thereafter, only vetting of some changes would be required to be got done from the Legal Consultant.

However, in certain cases some applications for taking up legal action by NCF or in response to some notices received from other person (s) etc., might be required to be drafted.

4. Drafting and issue of Legal Notices: Whenever a dispute arises which could not be resolved amicably and a legal action is required in the matter, the legal notices would be required to be drafted and issued.

5. Drafting of Affidavits: There may be occasions when the affidavits or counter affidavits are required to be submitted to various authorities or courts etc. Such affidavits would be required to be drafted.
 6. Responding to Legal notices: The legal notices received by NCF are required to be responded appropriately for which all kinds of legal assistance have to be provided.
 7. Appearance before the Court: Occasions may arise when the interests of NCF are required to be defended in various courts of India. This will require appearance of legal consultant in the court.
 8. Coordination with the legal offices of stake holder institutions: Occasions may arise when Coordination with the legal offices of stake holder institutions are required to finalize the terms or resolve disputes under Arbitration and Conciliation Act, 1996 or otherwise.
 9. Attending Council/ Executive Committee Meetings of NCF: Sometimes it may become necessary to be present in the Council/ Executive Committee Meetings of NCF and explain legal positions in case of projects/disputes and convince the authorities about the course of action required in the matter from legal angle.
- B. **Selection Process**: The procedure for selection shall be based on personal interaction with the candidates shortlisted after scrutiny of their applications by a Search-cum-Selection Committee.
- C. **Reappointment/termination**: The services of the person so selected and appointed would be liable to be terminated before the expiry of the term of his/her contract with prior notice if the conduct and performance of the employee is not found satisfactory. Similarly, a person with proven performance record shall be eligible for extension of the contract / reappointment for a future term.
- D. **How to apply**: Application/Bio-Data along with attested copies of certificates in support of Educational Qualifications kept in an envelope super scribed as "Application for the post of Legal Counsel/Firm may be sent to **the Member Secretary, National Culture Fund, Puratatva Bhavan, 5th Floor, D-Block, GPO Complex, I.N.A., New Delhi – 110 023**. The last date of receipt of application is **10th March, 2023**. Applications received after the last date or otherwise found incomplete will not be considered. **Applications furnished through e-mail/FAX will not be entertained**

- E. Please bring original documents in support of all the information furnished in the Bio-data whenever you come for personal interaction.
- F. The information furnished in the Bio-data must be true. Any false information furnished in the application will render the application rejected and if found at a subsequent date after the appointment, it will render the appointment cancelled and liable for criminal action.
- G. Any kind of persuasion/follow-up/canvassing will be detrimental to the candidature of the applicant.

Shobha
(Shobha Rani Tiru)

Under Secretary to the Govt. of India

National Culture Fund

शोभा रानी तिरु

SHOBHA RANI TIRU

अवर सचिव / Under Secretary

संस्कृति मंत्रालय / Ministry of Culture

भारत सरकार / Government of India

नई दिल्ली / New Delhi