

## **Section 3. Application Forms**

Form 3A : Application Submission Form

Form 3B : CV of the Applicant

Form 3C: Remuneration and Reimbursable

# Form 3A.Application Submission

[Location: dd/mm/yy]

To:

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[Name]

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[Address of Client]

Dear Sirs:

I am hereby submitting my Application to provide the consulting Services for [Insert title of assignment] in strict accordance with your Request for Application dated [dd/mm/yy].

I declare that I was not associated, nor have been associated in the past, directly or indirectly, with a Consultant or any other entity that has prepared the design, specifications and others documents in accordance with Clause 5.

I further declare that I have not been declared ineligible by the Government of Bangladesh on charges of engaging in **corrupt, fraudulent, collusive or coercive practices in accordance with Clause 4.**

I undertake, if I am selected, to commence the consulting Services for the assignment not later than the date indicated in Clause 12.1.

I understand that you are not bound to accept any Application that you may receive.

I remain,

Yours sincerely,

Signature

Print name

Address:

Tel:

**Attachment:**

# Form 3B. Curriculum Vitae (CV) of the Applicant

1	PROPOSED POSITION FOR THIS PROJECT :	<i>[From the Terms of Reference, state the position for which the Consultant will be engaged.]</i>								
2	NAME OF PERSON :	<i>[state full name]</i>								
3	DATE OF BIRTH :	<i>[ dd/mm/yy]</i>								
4	NATIONALITY :									
5	MEMBERSHIP IN PROFESSIONAL SOCIETIES	<i>[state rank and name of society and year of attaining that rank].</i>								
6	EDUCATION	<i>[list all the colleges/universities which the Applicant attended, stating degrees obtained, and dates, and list any other specialised education of the Applicant ].</i>								
7	OTHER TRAINING	<i>[indicate significant training since degrees under EDUCATION were obtained, which is pertinent to the proposed tasks of the Consultant].</i>								
8	LANGUAGES & DEGREE OF PROFICIENCY	<table style="width: 100%; border: none;"> <tr> <td style="text-align: center;"><u>Language</u></td> <td style="text-align: center;"><u>Speaking</u></td> <td style="text-align: center;"><u>Reading</u></td> <td style="text-align: center;"><u>Writing</u></td> </tr> <tr> <td style="text-align: center;"><i>e.g. English</i></td> <td style="text-align: center;"><i>Fluent</i></td> <td style="text-align: center;"><i>Excellent</i></td> <td style="text-align: center;"><i>Excellent</i></td> </tr> </table>	<u>Language</u>	<u>Speaking</u>	<u>Reading</u>	<u>Writing</u>	<i>e.g. English</i>	<i>Fluent</i>	<i>Excellent</i>	<i>Excellent</i>
<u>Language</u>	<u>Speaking</u>	<u>Reading</u>	<u>Writing</u>							
<i>e.g. English</i>	<i>Fluent</i>	<i>Excellent</i>	<i>Excellent</i>							
9	COUNTRIES OF WORK EXPERIENCE									
10	EMPLOYMENT RECORD  <i>[starting with present position list in reverse order <b>every employment held and state the start and end dates of each employment]</b></i>	<i>[The Applicant should clearly distinguish whether as an “employee” of the firm or as a “Consultant” or “Advisor” of the firm].</i>  <i>[The Applicant should clearly indicate the Position held and <b>give a brief description of the duties</b> in which the Applicant was involved].</i>								
	EMPLOYER 1	FROM: <i>[e.g. January 1999]</i> TO: <i>[e.g. December 2001]</i>								
	EMPLOYER 2	FROM:      TO:								
	EMPLOYER 3	FROM:      TO:								
	EMPLOYER 4 (etc)	FROM:      TO:								
11	WORK UNDERTAKEN THAT BEST ILLUSTRATES THE CAPABILITY TO	<i>[give an outline of experience and training most pertinent to tasks on this assignment, with degree of responsibility</i>								

## 12 COMPUTER SKILL

## CERTIFICATION

*[Do not amend this Certification].*

I, the undersigned, certify that (i) I was not a former employee of the Client immediately before the submission of this proposal, and (ii) 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

Print name

Date of Signing

dd / mm / yyyy


## Form 3C. Indicative Remuneration & Expenses

The Consultant should provide an indication of the remuneration as per the format shown below. This will not be used for evaluation of the Consultant's Application but solely for the purposes of Application Negotiations to be held as stated in **Clause 9.1** .

**(1) Remuneration**

Rate (per month / day / hour in Tk)	Staff Time (No. month / day / hour)	Total (Tk)

**Note: A month consists of 30 calendar days.**

**(2) Reimbursable (as applicable)**

	Rate per unit	Total unit	Total Amount (Tk)
(a) Per Diem Allowance			
(b) Air Travel Costs			
(c) Other Travel Costs (state mode of travel)			
(d) Communication charges			
(e) Reproduction of Reports			
(f) Other Expenses ( <i>to be listed</i> )			
		Sub-total	

CONTRACT CEILING (1) + (2)	
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## **Terms of Reference (ToR) for Law Advisor and Panel lawyer**

### **Background**

The Department of Environment (DOE) is responsible for environment conservation and development in Bangladesh. With a view to ensuring environmental conservation in the country DOE enforces environmental rules and regulations such as Bangladesh Environment Conservation Act, 1995 (Amended 2010); Brick Manufacturing and Setting up of Brick kilns (Control) Act, 2013 and Brick Manufacturing and Setting up of Brick kilns (Control) (Amendment) Act, 2019; Bangladesh Biological Diversity Act 2017; Environment Conservation Rules, 1997; Noise Pollution (control) Rules, 2006 and Environment Court Act, 2010 etc. The Department of Environment file cases to the Environment Court against the persons or organizations those violate the environmental rules and regulations. On the other hands for execution of environmental rules and regulations by the Department of Environment aggrieved organizations or persons file writ petition in the High Court Division of Supreme court. At present Department of Environment is handling around 1260 writs in Supreme Court and 536 cases at judicial magistrate court and environment court. The Number of writ and cases are increasing day by day and becoming a major challenge to handle this issue properly. Department of Environment prepares all documents and handles this matter through public prosecutor. The Department of Environment required qualified Law advisor along with panel lawyer to handle the issues related to writ and other legal matters more efficiently and timely. The Department of Environment expects that, Law advisor can provide instant required service regarding issues with wide range and guide us to take the appropriate steps and qualified panel lawyer can provide necessary support to handle the legal matters effectively and efficiently. Therefore, DOE has initiated to appoint panel lawyer as consultant who can provide legal advisory support in delivering its role and responsibilities.

### **Objective of the assignments:**

The objective of this assignment is to deal the writ petitions, cases and others legal issues of DOE judiciously and efficiently in order to dispose of the DOE related case timely.

### **Scope of Services:**

(I) The Law advisor will need to undertake or provide legal services on the areas set out (but not limited to) below:

#### **A. Activities involve at Supreme Court (Appellate Division)**

The activities involves in the Appellate Division are as follows-

1. Perusal of papers, consultation and discussion for preparation of revision/revision;
2. Drafting of appeals, affidavits, applications, vacating stay petition etc;
3. Minor appearance in court, including filing power, documents obtaining permission, mentioning or fixing dates or attending court;
4. Major appearance in court/ in chamber hearing;
5. Withdrawing the certified copy of the judgment, order and other documents;
6. Other relevant legal supports when require

#### **B. Activities involve at Supreme Court (High Court Division)**

The activities involves in the high court are as follows-

1. Perusal of papers, consultation and discussion sitting for preparation of brief.
2. Preparation of para-wise reply/Statement of facts for rule nishy/the appeal/revision/affidavits /petition/objection etc. including typing and filing (mandatory).
3. Minor appearance in the court including filing powers and documents, mentioning, fixing the matter in court or attending court (as required).

4. Major appearance in court for hearing in civil/criminal/writ matter/contempt proceeding (as required).
5. Withdrawing the certified copy of the judgment, order and other documents (as required).
6. Providing legal opinion in other activities such as agreement, drafting laws and rules etc (as required).
7. Withdrawing the certified copy of the judgment, preliminary decree or final decree and other document from other court such as Administrative Tribunal (A.T), and Administrative Appeal Tribunal (as required).
8. Other relevant legal support when required.

(II) A Panel lawyer will need to undertake or provide legal service on the areas set out (but not limited to) below:

**C. Activities involve at Supreme Court (Appellate Division)**

The activities involves in the Appellate Division are as follows-

1. Perusal of papers, consultation and discussion for preparation of revision/revision;
2. Drafting of appeals, affidavits, applications, vacating stay petition etc;
3. Minor appearance in court, including filing power, documents obtaining permission, mentioning or fixing dates or attending court;
4. Major appearance in court/ in chamber hearing;
5. Withdrawing the certified copy of the judgment, order and other documents;
6. Other relevant legal supports when require

**D. Activities involve at Supreme Court (High Court Division)**

The activities involves in the high court are as follows-

1. Perusal of papers, consultation and discussion sitting for preparation of brief.
2. Preparation of para-wise reply/Statement of facts for rule nishy/the appeal/revision/affidavits /petition/objection/Administrative tribunal etc. including typing and filing (mandatory).
3. Minor appearance in the court including filing powers and documents, mentioning, fixing the matter in court or attending court (as required).
4. Major appearance in court for hearing in civil/criminal/writ matter/contempt proceeding (as required).
5. Withdrawing the certified copy of the judgment, order and other documents (as required).
6. Providing legal opinion in other activities such as agreement, drafting laws and rules etc (as required).
7. Withdrawing the certified copy of the judgment, preliminary decree or final decree and other document from other court such as Administrative Tribunal (A.T), and Administrative Appeal Tribunal (as required).
8. Other relevant legal support when required.

**E. Activities involve at Environment Court/Special Magistrate Court/Administrative Court**

The activities involves are as follows-

1. Consultation and discussion sitting for preparation of Charge Sheet/Cases.
2. Major appearance in court for hearing in Environment related mamla proceeding (as required).
3. Withdrawing the certified copy of the judgment, order and other documents (as required).

4. Other relevant legal supports when require

**Deliverables (services other than service to be provided against activities specified at A, B, C, D & E in the scope of service)**

No	Deliverables	Frequency / Time
1	Work Plan for preparation of Para wise reply of writ petition and preparation of ground for appellate division.	Monthly
2	Submitting Progress Report on assessment of overall performance over the month	Monthly
3	Status Report of writ petition	Monthly
4	Other deliverables to be assigned by Department of Environment (DoE)	As Agreed
5	Final report presentation on of all writ petitions.	In every 6(six) Month of the fiscal year

**(III) The Cost involves in the following activities of high court are as follows-**

Item	Rate/-
Honorium of Law advisor (Fixed Per Month)	----- (Including Vat and IT as per govt. circular)
Enlisted Fee for individual lawyer (Per Month)	----- (Including Vat and IT as per govt. circular)
Preparation of para-wise reply/Statement of facts of rule nisi/the appeal/revision/affidavits/petition/objection etc. including drafting/ typing and filing (mandatory).	-----
Withdrawing the certified copy of the judgment, order and other documents (as required) on the basis of judgments paper size (up to 3 pages).	-----
Providing legal opinion in other activities such as agreement, drafting laws and rules etc (as required).	-----
Withdrawing the certified copy of the judgment, preliminary decree or final decree and other document from other court such as Administrative Tribunal, and Administrative Appeal Tribunal on the basis of judgments paper size (up to 3 pages) as required.	-----
Usually Physical Contingency shall not exceed mentioned amount in the next raw, it's only provided against specific bill/voucher	-----

**(IV) Court Appearance Fee (as required).**

<p>High Court Division Supreme Court of Bangladesh (as required).</p>
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Court Appearance	With Hearing		Without Hearing	
High Court	----- (Single Case)	----- for each case of bundle case)	----- (single case)	----- for each case of bundle cases
Contempt in the High Court Division	----- (Single Case)	----- for each case of bundle cases.	----- (Single case)	----- for each case of bundle cases

Appellate Division Supreme Court of Bangladesh (as required).		
Civil Miscellaneous Petition or Civil Petition for Leave to Appeal	-----	Preparation and Filing Cost (For Each Case)
Civil Miscellaneous Petition or Civil Petition for Leave to Appeal	-----	Drafting and Concise Statement (For Each Case)
Advocate on Record	-----	For Each Case
Advocate Appellate Division	-----	For Each Appearance with hearing (Without hearing it is only 10,000.00 for each appearance)

**\*\*N.B-** Above mentioned Honorium table number (IV) is not applicable for the law adviser.

### Conditions

The Law advisor along with panel lawyer will be expected to work together in partnership with the officials of the Department of Environment and government prosecutors of High Court Division and Appellate Division. The services to be provided such as drafting and preparation of Para-wise reply on the Rule Nishi, the appeal orders, revisions, affidavits, petitions, and objection must be within the time specified in the court's order. The total services will need to be delivered over a contract period of 02 (Two) years.

### General Qualifications and Experience

A. The Law advisor is desired to fulfill the following requirements:

- The Law advisor will have both the skill and experience necessary to undertake the range of tasks set out in the **Terms of Reference**.
- The Law Advisor should have Master of Law Degree from Govt. Approved recognized University.
- The Law Advisor should have 15 years experiences as Advocate in Supreme Court of Bangladesh.
- The Law Advisor should have 10 years experiences as law officer with the government/semi government/Autonomous organization in Bangladesh.

B. A panel lawyer is desired to fulfill the following requirements:

- A panel lawyer will have both the skill and experience necessary to undertake the range of tasks set out in the **Terms of Reference**.
- A panel lawyer should have graduate in law from Govt. Approved recognized University.
- A panel lawyer should have 10 years experiences as an Advocate in Supreme Court of Bangladesh.
- A panel lawyer should have experiences as Law officer with the government/semi government/Autonomous organization in Bangladesh.

**Details of the Law advisor along with panel lawyer Composition and Requirements**

<b>Sl.</b>	<b>Position</b>	<b>No. of panel lawyer/ Expert</b>	<b>Qualifications and Experience</b>
1	1. Law Advisor  2. The panel lawyer	1(one)  4 (four)	1. Law Advisor should be Masters in law from Govt. Approved recognized University with 15 years experience as an Advocate in Supreme Court of Bangladesh.  2. Panel lawyer should be law graduate from Govt. Approved recognized University with 10 years experience as an Advocate in Supreme Court of Bangladesh.