



REQUEST FOR PROPOSALS (RFP)

Project Name:

**Legal Review of Existing Legislative Framework
Governing Citizenship Act, 1955
and Citizenship Rules, 2003**

No. 9/77/2010-CRD(NPR)

September, 2010

OFFICE OF THE REGISTRAR GENERAL
AND CENSUS COMMISSIONER, INDIA
MINISTRY OF HOME AFFAIRS
2-A, MAN SINGH ROAD,
NEW DELHI

1. Background

The Government of India has initiated the creation of National Population Register (NPR) by collecting specific information of all usual residents in the country during the Houselisting and Housing Census phase of Census 2011 during April 2010 to September 2010. The NPR is a comprehensive identity database to be maintained by the Registrar General and Census Commissioner India, Ministry of Home Affairs, Government of India (RGI). The objective of creation of the NPR is to help in better targeting of the benefits and services under the government schemes, improve planning, improve security and prevent identity fraud. The NPR will contain details such as name, name of father, mother and spouse, date of birth, place of birth, sex, nationality, present address, permanent address, etc.

The NPR of Usual Residents is presently being undertaken through an Executive Order. The Government proposes to frame Rules under the Citizenship Act, 1955 and cause Amendment to the Act, if so required. In order to assist the Government in this task, the services of a legal consultant are required. The scope of work is detailed in subsequent paragraphs.

2. Scope of Work

2.1 Scope of work includes:

- Conducting a legal analysis of applicable legislations including the Citizenship Act, 1955, Citizenship Rules, 2003 and other allied legislations in India and draft suitable Rules/ Amendments as required
- Analyze best practices from other countries and suggest adoption/ adaptation of the same.
- To advice the Government on the measures to legally safeguard and address various concerns raised within and outside the Government relating to NPR.

2.2 The legal consultant /law firm must ensure that the documents prepared in the assignments must meet international standards.

2.3 It is estimated that the efforts expended in delivering the scope of work outlined above will not exceed 400 man hours of work. In addition, the legal consultant /law firm will also be called upon to provide ongoing legal assistance to the RGI of no more than 100 man hours a year in relation to follow up and clarificatory queries.

3. Eligibility

- 3.1 This RFP is open to qualified law firms and currently practicing in India. This RFP is not open to individual practitioners who have the necessary qualifications.
- 3.2 Law firms submitting proposals for this assignment must be able to demonstrate that they have significant experience in:
- Citizenship Act, 1955 and Citizenship Rules, 2003
 - Technology laws including an appreciation of the Information Technology Act, 2000 and the rules issued thereunder
 - Data protection laws, data security arrangements as a part of commercial arrangements, including an appreciation of international legislations
 - Right to Information Act (RTI), 2005
 - Previous experience in drafting legislations.
- 3.3 Law firms must apply on their own and are not allowed to form consortia with other firms to strengthen their capabilities and experience as per the requirements of this RFP.

4. Contents of the Proposal

- 4.1 The proposal must contain a technical bid and a financial bid.
- 4.2 The technical bid shall contain:
- i. A brief description of the firm's organization and an outline of recent experience on assignments of similar nature. The outline should indicate, inter-alia, the profiles of the staff proposed, duration of the assignment, contract amount, and firm's involvement. A maximum of 5 most relevant assignments need to be submitted. The total number of pages in this section shall not exceed 5, in Times New Roman 12 point font.
 - ii. A description of the methodology and work plan for performing the assignment.
 - iii. Updated CVs signed by the proposed professional staff and the authorized representative submitting the proposal. Key information should include number of years working for the firm/entity and degree of responsibility held in various assignments during the last ten(10) years.
- 4.3 The financial bid must contain total estimated hours for the assignment and a fee quote. The fee quote must be in Indian Rupees (₹) and must be inclusive of all

taxes. It must also contain an estimate of the other expenses. A format is enclosed for providing the financial quote at Annex-A.

4.4 The proposal shall not exceed 20 pages.

5. Submission, Receipt, and Opening of Proposals

5.1 Please submit the proposal to the address listed below:

- a. By 15:00 Hours(Indian Standard Time) on Monday, 11.10.2010
- b. Opening of the technical bid at 16:00 Hrs (Indian Standard Time) on 11.10.2010.
- c. Opening of the financial bid would be intimated later to the technically qualified bidders.
- d. Address:

Under Secretary (Hdqr.),
Registrar General & Census Commissioner, India
2A, Man Singh Road, New Delhi-110011
Tel no. 011-2338 3157
Fax No.011-2338 3157/ 3145.

5.2 The original proposal shall be prepared in indelible ink and must be submitted in hard copy. It shall contain no inter-lineation or overwriting, except as necessary to correct errors made by the firm itself. Any such corrections must be initialed by the persons to person who sing(s) the proposals.

5.3 An authorized representative of the firm must initial all pages of the proposal. The representative's authorization is confirmed by a written power of attorney/authorization letter accompanying the proposal.

5.4 Firms should submit their Technical bid and Financial bid in prescribed in separate sealed covers duly superscribed as "Technical Bid for Legal Review of Existing Legislative Framework Governing Citizenship Act, 1955 and Citizenship Rules, 2003" and "Financial Bid for Legal Review of Existing Legislative Framework Governing Citizenship Act, 1955 and Citizenship Rules, 2003". These two sealed covers then be put together in a bigger sealed cover and superscribed as "Technical & Financial Bids for Legal Review of Existing Legislative Framework Governing Citizenship Act, 1955 and Citizenship Rules, 2003". Telegraphic/faxed/mailed proposals shall not be accepted.

- 5.5. After the deadline for submission of proposals, the proposals shall be opened immediately by the evaluation committee.
- 5.6 The experience, credibility, quality and competence of the law firm would constitute the core parameters for technical evaluation.
- 5.7 Information relating to evaluation of proposals and recommendations concerning awards shall not be disclosed to the law firms, who submitted the proposals, or to other persons not officially concerned with the process, until the winning firm has been notified that it has been awarded the contract.
- 5.8 The final result of the bidding proposal based on the expertise of the parties involved and the financial proposal will be announced at a later date. The result will be placed on website.
- 5.9 The evaluation committee will determine whether the financial proposal/information is complete in all respects and the decision of the evaluation committee shall be final.
- 5.10 The cost of preparing the proposal and incidental expenses shall not be reimbursable as a cost of assignment.
- 5.11 On completion of the process of selection, the law firm selected shall be awarded the contract of consultancy by issuing the letter of intent (LOI). The issue of LOI shall be the deemed date of commencement of the assignment and the assignment shall have to be completed as per the period stipulated in the contract.
- 5.12 The successful firm cannot sublet the assignment to other individual/ firms/ organizations.

6. General Terms

- 6.1 Decision of the RGI shall be final and binding on all the bidders.
- 6.2 Any dispute between the parties shall be amicably resolved between the parties. If not amicably settled, then the parties may choose to arbitrate the matter as per the procedure laid down under the Arbitration and Conciliation Act, 1996.
- 6.3 Courts in New Delhi shall have the jurisdiction over any dispute arising from or in connection with this RFP.
- 6.4 Any ambiguity in the proposal may lead to disqualification.

- 6.5 The offer made in the proposal shall be final and any conditional offer shall be summarily rejected.
- 6.6 Please furnish the detailed address, telephone number, fax number and electronic mail address for proper and fast communications.
- 6.7 Information/clarification, if any required, may be obtained from The Deputy Director General (NPR), Office of the Registrar General, India, 2A, Man Singh Road, New Delhi- 110 011, Tel: 011-2338 3157.
- 6.8 No proposal shall be accepted unless it is properly sealed. If the envelope is found to be open and not sealed and marked as instructed in this RFP, the office of the RGI will not be responsible for misplacement or premature opening of the proposal submitted. Any proposal opened prematurely due to this cause shall be rejected.
- 6.9 Failing to execute the LOI within the said period may result in termination of the LOI and award of the same to other law firm at the risk and cost of the law firm.
- 6.10 The person to sign the LOI shall be the person duly authorized.
- 6.11 The RGI may seek clarifications/additional documents from the law firm and the law firm is bound to furnish the same within the prescribed time.

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Format for providing the Financial Quote

Sl. No.	Total number of man hours proposed	Per hour fee in INR (₹)	Total cost in INR (₹)	Other expenses in INR (₹) (if any, please specify)	Total value of financial quote in INR (₹)

Date:-

Place:-

Signature

Name

Seal