

EXPRESSION OF INTEREST (EOI)

For Engagement of Legal Service Provider(s) for Operationalization of the Meghalaya State Agricultural Produce and Livestock Marketing (Promotion and Facilitation) Act, 2020

1. Background

The Meghalaya State Agricultural Produce and Livestock Marketing (Promotion and Facilitation) Act, 2020 (hereinafter referred to as "the Act") was enacted with the objective of promoting efficient, transparent and competitive marketing of agricultural produce and livestock in the State of Meghalaya. The Act seeks to establish a unified agricultural marketing framework by facilitating market reforms, promoting private sector participation, enabling direct marketing, supporting electronic trading platforms, strengthening market infrastructure and creating an enabling environment for efficient agricultural marketing.

While the Act provides the statutory framework, its effective implementation requires the development of a comprehensive legal, regulatory and institutional ecosystem, including subordinate legislation, governance mechanisms, operational procedures and administrative instruments necessary for implementation by the Meghalaya State Agricultural Marketing Board (MSAMB), Agricultural Produce and Livestock Market Committees (APLMCs) and other institutions established under the Act.

Accordingly, the Meghalaya State Agricultural Marketing Board (MSAMB) invites Expressions of Interest (EOIs) from eligible Advocates, Legal Professionals and Law Firms possessing demonstrated experience in legislative drafting, regulatory framework development and public law to provide comprehensive legal and regulatory services for operationalization of the Meghalaya State Agricultural Produce and Livestock Marketing (Promotion and Facilitation) Act, 2020.

2. Objective of the Engagement

The objective of this engagement is to obtain comprehensive legal and regulatory support for the effective operationalization of the Meghalaya State Agricultural Produce and Livestock Marketing (Promotion and Facilitation) Act, 2020.

The selected Legal Service Provider(s) shall assist MSAMB in establishing the complete legislative, regulatory, institutional and governance framework required for implementation of the Act, including drafting subordinate legislation, preparing statutory and administrative instruments, advising on legal and policy matters, facilitating stakeholder consultations and providing legal support necessary for implementation of the Act throughout the period of engagement.

The engagement is intended to ensure that all legal, institutional and regulatory mechanisms required under the Act are developed in accordance with applicable laws, constitutional principles and accepted legislative drafting practices, thereby enabling MSAMB and the Government of Meghalaya to operationalize the Act in a legally sound, transparent and efficient manner.

3. Scope of Services

The selected Legal Service Provider(s) shall provide comprehensive legal, legislative, regulatory and advisory services to MSAMB for operationalization of the Meghalaya State Agricultural Produce and Livestock Marketing (Promotion and Facilitation) Act, 2020.

The scope of services shall include, but not be limited to, the following:

A. Legislative and Regulatory Development

The Legal Service Provider(s) shall:

1. Undertake a comprehensive legal review of the Meghalaya State Agricultural Produce and Livestock Marketing (Promotion and Facilitation) Act, 2020 and identify all provisions requiring subordinate legislation, administrative action or institutional intervention for effective implementation.
2. Prepare a detailed gap assessment identifying statutory provisions requiring:
 - Rules;
 - Regulations;
 - Model Bye-laws;
 - Government Notifications;
 - Administrative Orders;
 - Licensing Frameworks;
 - Registration Frameworks;
 - Standard Operating Procedures;
 - Statutory Forms and Formats; and
 - Other legal or regulatory instruments required under the Act.
3. Draft, revise and finalize all Rules required under the Act, including amendments arising from Government observations, stakeholder consultations and statutory review until their final approval.
4. Draft comprehensive Regulations governing the powers, functions, administration and operations of the Meghalaya State Agricultural Marketing Board and other regulatory matters necessary for implementation of the Act.
5. Prepare Model Bye-laws for Agricultural Produce and Livestock Market Committees (APLMCs) covering governance, administration, financial management, meetings, market operations, licensing, dispute resolution and related matters.
6. Draft Government Notifications, Administrative Orders, Circulars and other statutory instruments required for notification and implementation of the provisions of the Act.

7. Prepare all statutory forms, applications, licences, registrations, certificates, inspection formats, compliance reports, notices, orders, appeal formats, declarations and other prescribed documents required for implementation of the Act.
8. Review, revise and update all legislative and regulatory drafts based on comments received from MSAMB, the Government of Meghalaya and other competent authorities until their final notification or adoption.
9. Examine the consistency of all legislative and regulatory instruments with the Constitution of India, applicable Central and State laws and other relevant statutory provisions, and advise on harmonisation wherever necessary.

B. Institutional and Market Framework Development

The Legal Service Provider(s) shall assist MSAMB in developing the complete legal, regulatory and institutional framework for the establishment, governance, administration and regulation of all institutions, market entities and market participants envisaged under the Meghalaya State Agricultural Produce and Livestock Marketing (Promotion and Facilitation) Act, 2020.

The scope of services shall include, but not be limited to, the following:

1. Institutional Governance Framework

Develop the legal and governance framework for institutions established under the Act, including:

- Meghalaya State Agricultural Marketing Board (MSAMB);
- Agricultural Produce and Livestock Market Committees (APLMCs);
- Principal Market Yards;
- Sub-Market Yards;
- Market Sub-Yards;
- Private Market Yards;
- Farmer Consumer Markets;
- Special Commodity Markets;
- Markets of National Importance; and
- any other institution established or notified under the Act.

The framework shall, wherever applicable, include:

- constitution and establishment;
- powers and functions;
- governance structure;
- delegation of authority;

- meetings and decision-making procedures;
- financial administration;
- accountability mechanisms;
- record management;
- internal control systems;
- transparency and disclosure requirements;
- dispute resolution mechanisms; and
- regulatory oversight and compliance.

2. Market Operations and Regulatory Framework

Develop the legal and regulatory framework governing the establishment, administration and operation of regulated agricultural markets, including:

- market administration and governance;
- auction and trading procedures;
- licensing and registration mechanisms;
- market fee administration;
- user charges;
- inspection and enforcement procedures;
- market supervision;
- compliance monitoring;
- quality control and assaying mechanisms;
- grading and weighing standards;
- record maintenance;
- reporting systems; and
- market information and transparency requirements.

3. Licensing and Registration Framework

Develop comprehensive legal and regulatory procedures governing licensing and registration of all categories of market participants under the Act, including:

- traders;
- buyers;
- commission agents;
- weighmen;
- assaying agencies;
- market functionaries;
- market service providers;
- warehouse operators;
- cold storage operators;
- silo operators;
- private market operators;
- direct marketing agencies;
- electronic trading platform operators;
- Farmer Producer Organisations (FPOs);
- Farmer Producer Companies (FPCs);
- cooperatives;
- aggregators; and
- any other entity required to obtain registration or licence under the Act.

The Legal Service Provider(s) shall prepare all associated eligibility conditions, licensing procedures, registration procedures, renewal mechanisms, suspension and cancellation procedures, compliance obligations and appeal mechanisms.

4. Alternative Marketing Systems

Develop legal and regulatory frameworks for alternative marketing systems permitted under the Act, including:

- direct marketing;
- direct procurement;
- farmer-consumer markets;
- contract-based marketing arrangements where applicable;

- aggregation and collection centres;
- electronic trading platforms;
- warehouse-based marketing systems; and
- other innovative marketing mechanisms introduced by the Government or MSAMB.

Such framework shall include licensing, operational procedures, contractual arrangements, regulatory oversight, monitoring mechanisms and dispute resolution procedures.

5. Warehousing, Logistics and Market Infrastructure

Provide legal assistance for integration of warehousing and market infrastructure within the regulatory framework established under the Act, including:

- warehouses functioning as Market Sub-Yards;
- cold storages;
- silos;
- warehouse receipt systems where applicable;
- logistics infrastructure;
- storage agreements;
- infrastructure management arrangements; and
- compliance with applicable statutory requirements.

6. Digital Agricultural Marketing

Develop the legal framework governing electronic and digital agricultural marketing systems, including:

- electronic trading platforms;
- digital registration systems;
- online licensing systems;
- electronic auction procedures;
- digital documentation;
- electronic contracts;
- electronic payment mechanisms;
- data governance;
- cybersecurity obligations;

- confidentiality and privacy requirements; and
- integration with national digital agricultural marketing initiatives, wherever applicable.

7. Institutional Harmonisation

Advise MSAMB on harmonisation of the Act with other applicable legal and institutional frameworks, including:

- Central legislation;
- State legislation;
- Autonomous District Council laws and regulations;
- cooperative laws;
- municipal laws;
- commercial laws;
- contract law; and
- any other legal framework having relevance to implementation of the Act.

The Legal Service Provider(s) shall recommend amendments, policy measures and institutional arrangements necessary to ensure effective implementation of the Act while avoiding jurisdictional conflicts and legal inconsistencies.

C. Legal Documentation, Contracts and Regulatory Instruments

The Legal Service Provider(s) shall prepare, review, standardize and periodically update all legal documentation, contractual instruments, regulatory documents and administrative records necessary for the effective implementation, administration and enforcement of the Meghalaya State Agricultural Produce and Livestock Marketing (Promotion and Facilitation) Act, 2020.

The scope of services shall include, but not be limited to, the following:

1. Statutory and Regulatory Documentation

Prepare, review and finalize all statutory and regulatory documentation required for implementation of the Act, including:

- Rules;
- Regulations;
- Model Bye-laws;
- Notifications;
- Government Orders;
- Office Orders;

- Circulars;
- Office Memoranda;
- Guidelines;
- Directions;
- Standard Operating Procedures (SOPs);
- Manuals;
- Codes of Practice; and
- any other legal or administrative instruments required under the Act.

2. Contracts and Legal Instruments

Draft, vet, revise and standardize legal documents required by MSAMB for implementation of the Act, including:

- Agreements;
- Memoranda of Understanding (MoUs);
- Memoranda of Agreement (MoAs);
- Service Agreements;
- Consultancy Agreements;
- Licensing Agreements;
- Lease Deeds;
- Rental Agreements;
- Concession Agreements;
- Market Management Agreements;
- Infrastructure Development Agreements;
- Public–Private Partnership (PPP) Agreements;
- Procurement Contracts;
- Vendor Agreements;
- Warehousing Agreements;
- Storage Agreements;
- Marketing Agreements;
- Collaboration Agreements;
- Non-Disclosure Agreements (NDAs);

- Declarations;
- Undertakings;
- Indemnity Bonds;
- Affidavits; and
- any other contractual or commercial instruments required by MSAMB.

3. Licensing, Registration and Regulatory Forms

Prepare and standardize all statutory forms and prescribed formats required under the Act, including:

- licence applications;
- registration applications;
- renewal applications;
- certificates;
- licences;
- permits;
- inspection reports;
- compliance reports;
- show-cause notices;
- suspension orders;
- cancellation orders;
- appeal forms;
- declarations;
- inspection checklists;
- verification reports;
- monitoring formats;
- registers;
- statutory records; and
- any other prescribed forms required for administration of the Act.

4. Governance and Administrative Documentation

Prepare legal and administrative documentation required for governance and functioning of MSAMB and institutions established under the Act, including:

- Board resolutions;
- Committee resolutions;
- meeting notices;
- agendas;
- minutes of meetings;
- delegation orders;
- authorisation letters;
- administrative policies;
- governance manuals;
- institutional frameworks;
- compliance frameworks;
- risk management protocols; and
- operational manuals.

5. Policy and Government Documentation

Provide drafting assistance for documents to be submitted before the Government of Meghalaya or other competent authorities, including:

- Cabinet Memoranda;
- Explanatory Notes;
- Concept Notes;
- Policy Papers;
- Discussion Papers;
- Briefing Notes;
- Background Notes;
- Legislative Notes;
- replies to Government references;
- comments on draft legislation;
- inter-departmental consultation notes; and

- any other policy or legal documentation required by MSAMB.

6. Compliance and Regulatory Framework

Develop and maintain legal compliance systems to facilitate implementation of the Act, including:

- statutory compliance checklists;
- regulatory compliance manuals;
- legal risk registers;
- compliance monitoring mechanisms;
- reporting formats;
- inspection protocols;
- enforcement procedures;
- audit documentation;
- internal compliance systems; and
- documentation required for regulatory inspections or statutory review.

7. Review and Updating of Legal Documentation

Review all legal and regulatory documents prepared under this engagement from time to time and recommend amendments, revisions or updates arising from:

- changes in law;
- judicial pronouncements;
- Government policy decisions;
- operational experience;
- stakeholder consultations;
- directions issued by competent authorities; or
- any other circumstances affecting implementation of the Act.

All revisions shall be submitted in both **tracked-change** and **clean** versions together with a brief explanatory note highlighting the rationale for the proposed amendments.

D. Legal Advisory and Government Support

The Legal Service Provider(s) shall provide comprehensive legal advisory and institutional support to MSAMB on matters arising from the implementation and administration of the Meghalaya State Agricultural Produce and Livestock Marketing (Promotion and Facilitation) Act, 2020 and other matters incidental thereto.

The scope of services shall include, but not be limited to, the following:

1. Legal Advisory Services

Provide legal advice and written opinions on matters concerning the implementation, interpretation and administration of the Act and other related laws applicable to MSAMB.

The Legal Service Provider(s) shall:

- render legal opinions on issues referred by MSAMB;
- interpret statutory provisions, Rules, Regulations and Government Notifications;
- advise on legal implications of administrative and policy decisions;
- identify legal risks and recommend appropriate mitigation measures;
- advise on statutory compliance and regulatory obligations;
- assist in resolving legal and procedural issues arising during implementation of the Act; and
- provide opinions on matters referred by the Government of Meghalaya or MSAMB from time to time.

2. Vetting of Legal and Administrative Documents

Examine and vet all legal and administrative documents proposed to be issued by MSAMB, including:

- contracts and agreements;
- Government correspondence;
- policy documents;
- Cabinet Notes;
- Office Memoranda;
- notifications;
- circulars;
- tender documents;
- Expressions of Interest (EOIs);
- Requests for Proposal (RFPs);

- concession documents;
- lease documents;
- licences;
- permits;
- statutory notices; and
- any other legal document requiring legal scrutiny before issuance.

The Legal Service Provider(s) shall ensure that such documents are legally sound, internally consistent and compliant with applicable laws and Government policies.

3. Legislative and Government Coordination

Provide legal assistance during interactions with Government Departments and statutory authorities relating to implementation of the Act.

This shall include:

- participation in meetings convened by the Government;
- assisting MSAMB during inter-departmental consultations;
- providing legal clarifications before competent authorities;
- preparing responses to Government observations;
- incorporating comments received from Government Departments;
- supporting the finalisation of subordinate legislation; and
- assisting MSAMB until the legislative and regulatory framework is formally approved and notified.

4. Policy and Institutional Advisory

Advise MSAMB on legal and institutional matters affecting agricultural marketing and allied sectors, including:

- governance reforms;
- institutional restructuring;
- regulatory best practices;
- market governance;
- public-private partnership models;
- regulatory compliance;
- market transparency;

- dispute avoidance mechanisms;
- policy harmonisation;
- emerging legal developments; and
- reforms considered necessary for strengthening implementation of the Act.

5. Legal Risk Assessment

Undertake periodic legal risk assessments relating to implementation of the Act and advise MSAMB on measures required to minimise legal exposure.

The Legal Service Provider(s) shall:

- identify legal and contractual risks;
- recommend preventive legal measures;
- advise on statutory compliance;
- assess implementation risks;
- recommend corrective legal actions; and
- assist in developing institutional legal risk management practices.

6. Opinions on Special References

Prepare reasoned legal opinions on any special matter referred by MSAMB, including matters involving:

- interpretation of statutory provisions;
- jurisdictional issues;
- constitutional questions;
- procurement matters;
- contractual disputes;
- institutional governance;
- disciplinary proceedings;
- commercial arrangements;
- regulatory compliance; and
- any other legal issue affecting MSAMB.

Where required, legal opinions shall include references to applicable statutes, judicial precedents and established legal principles.

7. Continuing Legal Support

Provide continuous legal support throughout the period of engagement by responding to legal queries, reviewing documents, attending meetings and advising MSAMB on matters connected with implementation of the Act.

Such support may be provided through:

- written legal opinions;
- meetings;
- virtual consultations;
- presentations;
- workshops;
- explanatory notes; and
- periodic advisory reports.

Exclusion of Routine Court Representation

Unless specifically authorised by MSAMB through a separate engagement or written assignment, the scope of this EOI shall **not** include routine appearance before Courts, Tribunals or other judicial forums as Standing Counsel.

However, the Legal Service Provider(s) may be required to:

- prepare legal notices;
- draft replies and representations;
- prepare affidavits, petitions and written submissions;
- advise on litigation strategy;
- assist in briefing empanelled counsel;
- review pleadings prepared by external advocates;
- coordinate with Government Advocates or panel counsel; and
- provide legal assistance in arbitration, mediation or quasi-judicial proceedings where requested by MSAMB.

Any appearance before a Court or Tribunal shall be governed by separate instructions and remuneration as may be approved by MSAMB.

E. Dispute Resolution, Litigation Support and Quasi-Judicial Assistance

The Legal Service Provider(s) shall provide legal assistance to MSAMB in relation to disputes, litigation, quasi-judicial proceedings and enforcement matters arising out of the implementation and administration of the Meghalaya State Agricultural Produce and Livestock Marketing (Promotion and Facilitation) Act, 2020.

The scope of services shall include, but not be limited to, the following:

1. Dispute Prevention and Early Resolution

Provide legal advice aimed at preventing disputes and facilitating their timely resolution through appropriate legal and administrative mechanisms.

The Legal Service Provider(s) shall:

- identify potential legal disputes arising during implementation of the Act;
- recommend preventive legal measures;
- advise on amicable settlement mechanisms;
- assist in negotiation and conciliation between stakeholders;
- recommend appropriate contractual safeguards; and
- develop dispute avoidance procedures for adoption by MSAMB.

2. Legal Notices and Statutory Proceedings

Prepare, review and vet all legal notices and statutory communications required by MSAMB, including:

- legal notices;
- show-cause notices;
- demand notices;
- reply notices;
- statutory notices;
- enforcement notices;
- recovery notices;
- suspension and cancellation notices;
- hearing notices;
- speaking orders; and
- any other statutory communications issued under the Act or other applicable laws.

3. Quasi-Judicial Proceedings

Provide legal assistance in proceedings before statutory or quasi-judicial authorities, including:

- preparation of pleadings;
- replies;
- written submissions;
- appeals;
- review petitions;
- revision petitions;
- representations;
- explanatory notes;
- legal briefs; and
- supporting documentation.

The Legal Service Provider(s) shall advise MSAMB on procedural compliance, statutory timelines and applicable legal requirements governing such proceedings.

4. Arbitration, Mediation and Alternative Dispute Resolution

Assist MSAMB in matters involving Alternative Dispute Resolution (ADR), including:

- arbitration;
- mediation;
- conciliation;
- negotiated settlement;
- expert determination; and
- other recognised dispute resolution mechanisms.

The Legal Service Provider(s) shall prepare all legal documentation, settlement agreements, statements of claim, defence statements and supporting legal records necessary for such proceedings.

5. Litigation Support

Where litigation becomes necessary, the Legal Service Provider(s) shall:

- examine the legal merits of the matter;
- prepare legal briefs;

- draft petitions, affidavits, written statements, rejoinders, counter-affidavits and applications;
- prepare compilations of statutory provisions, precedents and supporting documents;
- assist in preparation of evidence and documentary records;
- coordinate with empanelled advocates, Government Counsel or Senior Counsel engaged by MSAMB;
- provide legal research and briefing notes; and
- monitor the progress of litigation and advise MSAMB on appropriate legal strategy.

6. Departmental and Administrative Proceedings

Provide legal assistance in departmental, disciplinary and administrative proceedings, including:

- drafting charge memoranda;
- replies;
- enquiry documentation;
- legal opinions;
- disciplinary orders;
- administrative appeals; and
- related legal documentation.

7. Enforcement and Regulatory Action

Advise MSAMB on enforcement measures available under the Act and assist in preparation of legal documentation relating to:

- suspension or cancellation of licences;
- enforcement of statutory obligations;
- regulatory action against market participants;
- recovery proceedings;
- seizure, confiscation or other statutory measures where authorised by law;
- appeals arising from enforcement actions; and
- compliance with principles of natural justice.

8. Coordination with External Counsel

Where MSAMB appoints external advocates or law officers, the Legal Service Provider(s) shall:

- brief the engaged counsel;
- prepare case summaries;
- compile documentary evidence;
- coordinate filing requirements;
- review draft pleadings;
- monitor case progress;
- advise MSAMB on legal strategy; and
- assist in implementation of judicial or quasi-judicial directions.

9. Court Appearance

Court appearances shall **not** form part of the routine obligations under this engagement.

However, where specifically requested by MSAMB and where legally permissible, the Legal Service Provider(s) may appear before:

- Courts;
- Tribunals;
- Statutory Authorities;
- Arbitrators;
- Mediators;
- Regulatory Authorities; or
- any other competent forum.

Such appearances shall be governed by separate written instructions and shall be remunerated in accordance with the terms approved by MSAMB.

F. Stakeholder Consultation, Capacity Building and Knowledge Management

The Legal Service Provider(s) shall assist MSAMB in facilitating stakeholder consultations, institutional coordination, capacity building and dissemination of legal and regulatory knowledge necessary for the effective implementation of the Meghalaya State Agricultural Produce and Livestock Marketing (Promotion and Facilitation) Act, 2020.

The scope of services shall include, but not be limited to, the following:

1. Stakeholder Consultation

Plan, facilitate and participate in consultations with all relevant stakeholders to ensure that subordinate legislation, institutional frameworks and regulatory instruments are practical, legally sound and responsive to stakeholder requirements.

Stakeholders may include, but are not limited to:

- Government of Meghalaya Departments;
- Autonomous District Councils;
- Meghalaya State Agricultural Marketing Board;
- Agricultural Produce and Livestock Market Committees (APLMCs);
- Farmer Producer Organisations (FPOs);
- Farmer Producer Companies (FPCs);
- Cooperative Societies;
- Traders and Market Functionaries;
- Warehouse and Cold Storage Operators;
- Private Market Operators;
- Electronic Trading Platform Operators;
- Financial Institutions;
- Agricultural Universities and Research Institutions;
- Commodity Boards;
- Central Government Agencies; and
- any other stakeholder identified by MSAMB.

The Legal Service Provider(s) shall prepare consultation agendas, background papers, issue notes, consultation records and reports incorporating stakeholder feedback.

2. Government and Inter-Agency Coordination

Provide legal assistance in coordinating with Government Departments and statutory bodies during the implementation of the Act.

This shall include:

- participation in official meetings;
- legal presentations before Government authorities;
- preparation of explanatory notes;
- responses to Government observations;

- inter-departmental consultations;
- coordination with legal and administrative authorities;
- assistance during legislative approval processes; and
- support during notification and implementation of subordinate legislation.

3. Workshops and Capacity Building

Design and conduct capacity-building programmes for officials and stakeholders involved in implementation of the Act.

Training programmes may include:

- overview of the Act;
- Rules, Regulations and Model Bye-laws;
- institutional governance;
- licensing and registration procedures;
- regulatory compliance;
- market administration;
- dispute resolution mechanisms;
- documentation and record management;
- legal responsibilities of market institutions; and
- implementation procedures under the Act.

Training may be delivered through workshops, seminars, orientation programmes, webinars or other suitable formats approved by MSAMB.

4. Preparation of Knowledge Resources

Prepare practical reference materials to facilitate uniform implementation of the Act, including:

- implementation manuals;
- operational handbooks;
- user guides;
- Standard Operating Procedures (SOPs);
- Frequently Asked Questions (FAQs);
- explanatory booklets;
- compliance checklists;
- flowcharts and process maps;
- templates and specimen formats; and

- other educational or reference material required by MSAMB.

5. Knowledge Transfer

Ensure effective transfer of legal and institutional knowledge to MSAMB to enable sustainable implementation of the Act.

The Legal Service Provider(s) shall:

- provide orientation to officers designated by MSAMB;
- explain the rationale behind legislative provisions and regulatory frameworks;
- guide officials on interpretation and implementation of legal instruments;
- assist officers during the initial implementation phase; and
- support institutional strengthening through continuous legal mentoring, wherever required.

6. Awareness and Outreach

Assist MSAMB in creating awareness regarding the objectives and implementation of the Act among stakeholders.

The Legal Service Provider(s) may assist in preparing:

- awareness materials;
- presentations;
- brochures;
- information booklets;
- public notices;
- legal advisories;
- media briefing notes;
- website content;
- communication material; and
- other public information resources required by MSAMB.

7. Documentation and Reporting

Prepare comprehensive reports on consultation processes, training programmes and knowledge dissemination activities undertaken during the engagement.

Such reports shall include:

- stakeholder participation;
- issues raised;
- recommendations received;

- actions proposed;
- implementation status; and
- recommendations for further legal or institutional reforms.

G. Other Related Legal Assignments

The Legal Service Provider(s) shall undertake any other legal, legislative, regulatory or institutional assignment incidental to the implementation of the Meghalaya State Agricultural Produce and Livestock Marketing (Promotion and Facilitation) Act, 2020, as may be assigned by MSAMB from time to time during the period of engagement.

Such assignments may include:

- examination of emerging legal issues;
- drafting of additional legal instruments;
- review of Government policies affecting agricultural marketing;
- legal support for new market initiatives;
- advisory services on regulatory reforms;
- assistance in implementing amendments to the Act or subordinate legislation; and
- any other assignment considered necessary by MSAMB for achieving the objectives of the Act.

4. Key Deliverables

The selected Legal Service Provider(s) shall deliver comprehensive legal, regulatory and institutional outputs necessary for the operationalization of the Meghalaya State Agricultural Produce and Livestock Marketing (Promotion and Facilitation) Act, 2020.

The deliverables shall include, but not be limited to, the following:

A. Legislative and Regulatory Deliverables

Preparation, revision and finalisation of all subordinate legislative instruments required under the Act, including:

1. Draft Rules under the Act.
2. Draft Regulations governing the functioning of MSAMB.
3. Draft Model Bye-laws for Agricultural Produce and Livestock Market Committees (APLMCs).
4. Draft Government Notifications.
5. Draft Government Orders.
6. Draft Office Orders.
7. Draft Circulars.

8. Draft Office Memoranda.
9. Draft Guidelines.
10. Draft Directions.
11. Draft amendments, revisions and modifications to the above documents as required during Government scrutiny and stakeholder consultations until their final approval.

B. Institutional and Governance Framework

Preparation of legal and governance frameworks for institutions established or recognised under the Act, including:

1. Governance Framework for MSAMB.
2. Governance Framework for APLMCs.
3. Framework for Principal Market Yards and Sub-Market Yards.
4. Framework for Private Market Yards.
5. Framework for Farmer Consumer Markets.
6. Framework for Electronic Trading Platforms.
7. Framework for Warehouses and Cold Storages functioning under the Act.
8. Framework for licensing and regulation of market functionaries.
9. Institutional governance manuals.
10. Delegation of powers framework.
11. Compliance and accountability framework.

C. Licensing and Regulatory Systems

Preparation of complete licensing and registration systems, including:

1. Licensing Procedures.
2. Registration Procedures.
3. Renewal Procedures.
4. Suspension and Cancellation Procedures.
5. Appeal Procedures.
6. Inspection Procedures.
7. Compliance Monitoring Framework.
8. Enforcement Framework.
9. Standard application forms.
10. Prescribed statutory registers and records.

D. Legal Documentation

Preparation and standardisation of legal documentation required by MSAMB, including:

1. Standard Agreements.
2. Memoranda of Understanding (MoUs).
3. Memoranda of Agreement (MoAs).
4. Lease Agreements.
5. Service Agreements.
6. Consultancy Agreements.
7. Licensing Agreements.
8. Procurement Contracts.
9. Standard legal templates.
10. Affidavits.
11. Undertakings.
12. Declarations.
13. Legal notices.
14. Show Cause Notices.
15. Speaking Orders.
16. Standard legal formats required for implementation of the Act.

E. Operational and Administrative Documentation

Preparation of implementation documents, including:

1. Standard Operating Procedures (SOPs).
2. Operational Manuals.
3. Implementation Manuals.
4. User Guides.
5. Compliance Manuals.
6. Inspection Manuals.
7. Training Manuals.
8. Administrative Manuals.
9. Frequently Asked Questions (FAQs).
10. Process Flow Charts.

11. Compliance Checklists.

F. Legal Advisory Deliverables

Submission of written legal outputs, including:

1. Legal Opinions.
2. Legal Research Notes.
3. Interpretation Notes.
4. Cabinet Notes.
5. Explanatory Memoranda.
6. Policy Notes.
7. Briefing Notes.
8. Risk Assessment Reports.
9. Legal Due Diligence Reports.
10. Recommendations for legislative and institutional reforms.

G. Capacity Building and Consultation Deliverables

Preparation and submission of:

1. Consultation Reports.
2. Stakeholder Consultation Papers.
3. Training Modules.
4. Workshop Presentations.
5. Awareness Material.
6. Knowledge Resource Material.
7. Training Completion Reports.
8. Recommendations arising from stakeholder consultations.

H. Litigation and Dispute Resolution Support

Where specifically assigned by MSAMB, preparation of:

1. Legal Notices.
2. Replies.
3. Affidavits.
4. Petitions.
5. Written Statements.

6. Appeals.
7. Review Petitions.
8. Legal Briefs.
9. Arbitration Documentation.
10. Case Summaries.

I. Miscellaneous Deliverables

The Legal Service Provider(s) shall also submit:

1. Monthly Progress Reports.
2. Quarterly Progress Reports.
3. Final Assignment Completion Report.
4. Soft copies of all deliverables in editable Microsoft Word format.
5. Searchable PDF copies of all final documents.
6. Any other document reasonably required by MSAMB during implementation of the Act.

Submission Standards

Unless otherwise directed by MSAMB, all deliverables shall:

- be submitted in both editable Microsoft Word and searchable PDF formats;
- be written in clear, legally precise and publication-ready language;
- conform to applicable legislative drafting practices;
- include version control and revision history, where applicable;
- incorporate comments received from MSAMB and the Government of Meghalaya; and
- become the exclusive property of MSAMB upon acceptance.

5. Eligibility and Qualification Criteria

The Expression of Interest (EOI) is open to eligible Individual Legal Professionals and Legal Entities possessing the requisite qualifications, not less than 10 years' experience and institutional capacity to undertake the assignment.

For the purpose of this EOI:

- Individual Applicant means an Advocate, Legal Consultant or Legal Professional applying in his/her individual capacity.

- Legal Entity means a Law Firm, Partnership Firm, Limited Liability Partnership (LLP), Company or any other legally constituted organisation engaged in providing legal advisory, consultancy or legislative drafting services.

Applicants shall satisfy the following eligibility and qualification criteria.

A. Legal Status

A.1 Individual Applicants

The applicant shall:

- a) be an Advocate enrolled with a State Bar Council under the Advocates Act, 1961; or
- b) be a Legal Consultant or Legal Professional who has experience in the Agriculture Sector and allied sectors.

A.2 Legal Entities

The applicant shall be a legally constituted entity engaged in providing legal advisory, consultancy or legislative drafting services.

The legal entity shall designate a Lead Counsel/Team Leader who shall be responsible for execution of the assignment and shall act as the principal point of contact with MSAMB.

B. Minimum Professional Experience

B.1 Individual Applicants

The applicant shall possess not less than ten (10) years of post-qualification professional experience in one or more of the following areas:

- Legal Practice;
- Legislative Drafting;
- Regulatory Framework Development;
- Government Legal Advisory;
- Public Law;
- Administrative Law;
- Constitutional Law;
- Commercial Law; or
- other comparable legal assignments.

B.2 Legal Entities

The applicant shall satisfy the following:

- a) the organisation shall have been in existence for not less than ten (10) years as on the last date for submission of the EOI;

b) the proposed Lead Counsel/Team Leader shall possess not less than ten (10) years of post-qualification professional experience in legal practice, legislative drafting, regulatory advisory or allied legal services.

C. Relevant Experience

The applicant shall have demonstrable experience in one or more of the following areas:

- Drafting of Acts, Rules, Regulations or Bye-laws;
- Legislative and Regulatory Drafting;
- Government Legal Advisory;
- Institutional and Governance Framework Development;
- Public Policy and Regulatory Reforms;
- Legal Documentation and Contract Drafting;
- Regulatory Compliance;
- Public Procurement;
- Infrastructure and Public Sector Projects;
- Agricultural Marketing, Rural Development, Cooperative or Allied Sector Laws;
- Arbitration, Mediation and Dispute Resolution; or
- other comparable assignments.

D. Experience with Government and Public Institutions

Preference shall be given to applicants having experience in providing legal advisory, consultancy or legislative drafting services for:

- Central Government Ministries or Departments;
- State Government Departments;
- Statutory Authorities;
- Regulatory Bodies;
- Government Boards and Corporations;
- Agriculture related sectors.
- Public Sector Undertakings;
- Constitutional Institutions;
- Local Authorities;
- International Development Agencies; or
- Multilateral Institutions.

E. Professional Capacity

Applicants shall possess adequate professional capability and institutional resources to undertake the assignment.

Where the applicant is a Legal Entity, details of the proposed professional team shall be furnished, including:

- Lead Counsel/Team Leader;
- Legislative Drafting Expert(s);
- Legal Research Professional(s); and
- other professionals proposed for execution of the assignment.

MSAMB reserves the right to seek replacement of any proposed professional whose qualifications or performance are found to be unsatisfactory, provided that any replacement possesses qualifications and experience equivalent to or higher than those originally proposed.

F. Conflict of Interest

Applicants shall disclose any actual, potential or perceived conflict of interest which may affect the impartial execution of the assignment.

MSAMB reserves the right to reject any application where such conflict is considered material.

G. Blacklisting and Debarment

The applicant shall not have been blacklisted, debarred or declared ineligible by any Central Government Ministry, State Government, Statutory Authority, Regulatory Authority, Public Sector Undertaking or Constitutional Authority as on the last date for submission of the EOI.

A self-declaration to this effect shall be furnished along with the application.

H. Statutory Compliance

The applicant shall possess all registrations required under applicable law, including, where applicable:

- Permanent Account Number (PAN);
- Goods and Services Tax (GST) Registration;
- Registration or incorporation documents; and
- any other statutory registrations applicable to the applicant.

I. Documents to be Submitted

The applicant shall submit the following documents along with the EOI:

1. Covering Letter.
2. Profile of the Applicant.
3. Curriculum Vitae (for Individual Applicants) or Profile of Key Professionals (for Legal Entities).
4. Certificate of Incorporation/Registration/Constitution, where applicable.
5. Proof of professional enrolment or registration, where applicable.
6. Details of similar assignments undertaken.
7. Details of key personnel proposed for the assignment.
8. Brief Approach and Methodology for operationalization of the Act (not exceeding five pages).
9. Self-declaration regarding conflict of interest.
10. Self-declaration regarding blacklisting/debarment.
11. PAN, GST and other statutory registrations, where applicable.
12. Any other supporting documents considered relevant by the applicant.

6. Evaluation Methodology

The evaluation of applications received in response to this Expression of Interest (EOI) shall be carried out by a Committee constituted by the Meghalaya State Agricultural Marketing Board (MSAMB).

The evaluation shall be based on the applicant's qualifications, experience, technical capability, understanding of the assignment and presentation before the Evaluation Committee.

MSAMB reserves the right to verify any information submitted by the applicant and to seek additional information or clarification, where considered necessary.

Only applicants satisfying the eligibility criteria prescribed under this EOI shall be considered for evaluation.

A. Evaluation Criteria

The Technical Evaluation shall be carried out on a **100-mark** basis as detailed below.

Sl. No.	Evaluation Criteria	Maximum Marks
1	Experience of the Applicant	20
2	Experience in Similar Assignments	25
3	Technical Approach & Methodology	20
4	Qualifications and Experience of Key Professional(s)	15
5	Presentation and Interaction	20
Total		100

C. Shortlisting

Applicants obtaining **70 marks or above** in the Technical Evaluation may be considered technically qualified.

MSAMB reserves the right to shortlist one or more applicants based on the overall evaluation and the requirements of the assignment.

D. Right of MSAMB

MSAMB reserves the right to:

- accept or reject any or all EOIs without assigning any reason;
- seek additional information or clarification from any applicant;
- verify the information furnished by applicants;
- invite shortlisted applicants for presentation or discussion;
- negotiate the scope of services, professional fee or terms of engagement with the selected applicant(s); and
- cancel or modify the EOI process at any stage without incurring any liability.

E. Selection and Engagement

Selection under this EOI shall not confer any automatic right of appointment.

The successful applicant(s) shall be engaged only upon issuance of a formal Letter of Engagement or Work Order by MSAMB and acceptance of the terms and conditions specified therein.

7. Period of Engagement

The selected Legal Service Provider(s) shall be engaged for an initial period of **(1) year** from the date of issuance of the Letter of Engagement or execution of the Agreement, whichever is later.

The engagement may be extended by MSAMB for such further period and on such terms and conditions as may be considered appropriate, subject to:

- satisfactory performance;
- continued requirement of services;
- availability of funds; and
- approval of the Competent Authority.

The engagement shall not be construed as an employment or permanent appointment with MSAMB.

MSAMB reserves the right to:

- modify the scope of services;
- extend the period of engagement;
- reduce the scope of services;
- terminate the engagement in accordance with the terms of the Agreement; or
- engage one or more Legal Service Providers simultaneously if considered necessary in the interest of the assignment.

8. PROFESSIONAL FEE AND PAYMENT TERMS

8.1 Professional Fee

The selected Legal Service Provider shall be paid a **fixed Professional Fee of ₹60,000/- (Rupees Sixty Thousand only) per month**, exclusive of applicable taxes, for rendering professional legal services under this engagement.

The Professional Fee shall be payable upon:

- a. Submission of a monthly invoice;
- b. Submission of a Monthly Progress Report outlining the activities undertaken, meetings attended, legal opinions rendered, documents drafted and other services performed during the month; and
- c. Certification by the Competent Authority of MSAMB that the services have been satisfactorily rendered.

8.2 Monthly Performance Incentive

In addition to the monthly Professional Fee, the Legal Service Provider shall be eligible for a Monthly Performance Incentive of ₹40,000/- (Rupees Forty Thousand only), exclusive of applicable taxes, subject to satisfactory performance as assessed by MSAMB.

The Monthly Performance Incentive shall be released in two (2) instalments of ₹20,000/- (Rupees Twenty Thousand only) every month as follows:

(a) First Instalment – ₹20,000/-

The first instalment shall be payable upon:

- satisfactory execution of the monthly work programme;
- timely submission of draft legal instruments, legal opinions, agreements, reports or other deliverables assigned during the month;
- satisfactory attendance in meetings, consultations and review sessions convened by MSAMB; and
- certification by the Competent Authority that the monthly performance is satisfactory.

(b) Second Instalment – ₹20,000/-

The second instalment shall be payable upon:

- acceptance of the monthly deliverables by MSAMB;
- incorporation of observations, corrections and revisions communicated by MSAMB;
- satisfactory completion of all assigned responsibilities for the relevant month; and
- certification by the Competent Authority that the Legal Service Provider has fulfilled all obligations under the engagement for the relevant month.

8.3 Performance Assessment

For the purpose of release of the Monthly Performance Incentive, the performance of the Legal Service Provider may be assessed on, inter alia, the following parameters:

- quality of legal drafting and advisory services;
- adherence to timelines;

- responsiveness to directions issued by MSAMB;
- participation in meetings, consultations and capacity-building programmes;
- quality and completeness of deliverables;
- professional conduct and coordination with MSAMB and other stakeholders; and
- overall contribution towards operationalization of the Meghalaya State Agricultural Produce and Livestock Marketing (Promotion and Facilitation) Act, 2020.

The decision of MSAMB regarding the assessment of performance shall be final and binding.

8.4 General Payment Conditions

1. The Professional Fee shall be payable monthly upon satisfactory performance and certification by the Competent Authority.
2. The Monthly Performance Incentive shall not constitute an automatic entitlement and may be withheld, reduced or deferred, either wholly or partly, if the Legal Service Provider fails to achieve the required standards of performance or fails to fulfil the obligations under the engagement.
3. Applicable Goods and Services Tax (GST), wherever applicable, shall be paid separately upon submission of a valid tax invoice.
4. Statutory deductions, including Tax Deducted at Source (TDS), shall be made in accordance with the applicable laws.
5. Official travel outside Shillong undertaken with the prior written approval of MSAMB shall be reimbursed in accordance with the applicable Government rules or as approved by the Competent Authority.
6. Boarding, lodging and other approved out-of-pocket expenses shall be reimbursed only where specifically authorised by MSAMB and supported by documentary evidence or in accordance with the applicable Government norms.
7. Any appearance before Courts, Tribunals or other judicial or quasi-judicial authorities specifically authorised by MSAMB and falling outside the regular scope of this engagement may be compensated separately, subject to prior approval of the Competent Authority.
8. MSAMB reserves the right to withhold, reduce or defer any payment where the Legal Service Provider has failed to fulfil the obligations under the engagement or where the deliverables are incomplete, unsatisfactory or delayed without reasonable cause.

9. Submission of Expression of Interest

Interested applicants shall submit their Expression of Interest in the prescribed format together with all supporting documents specified in this EOI.

The application shall include, inter alia:

- Covering Letter.
- Applicant Profile.
- Documents establishing eligibility.
- Details of similar assignments.
- Details of proposed Key Professional(s), where applicable.
- Approach and Methodology.
- Conflict of Interest Declaration.
- Declaration regarding Blacklisting/Debarment.
- Any other supporting documents considered relevant.

The EOI shall be submitted in a sealed envelope superscribed:

"Expression of Interest (EOI) for Engagement of Legal Service Provider(s) for Operationalization of the Meghalaya State Agricultural Produce and Livestock Marketing (Promotion and Facilitation) Act, 2020."

The application shall be addressed to:

The Managing Director,
Meghalaya State Agricultural Marketing Board
Cleve Colony, Shillong – 793003, Meghalaya

The last date and time for submission of the EOI shall be as specified in the Notice Inviting Expression of Interest.

Applications received after the prescribed date and time shall not be considered.

MSAMB reserves the right to seek clarification or additional information from any applicant during the evaluation process.

10. General Terms and Conditions

The engagement shall be governed by the following General Terms and Conditions:

10.1 Confidentiality

The Legal Service Provider(s) shall maintain strict confidentiality in respect of all information, documents, records and materials received or generated during the course of the engagement

and shall not disclose the same to any third party without the prior written approval of MSAMB, except where required by law.

10.2 Intellectual Property Rights

All reports, Rules, Regulations, Model Bye-laws, legal opinions, manuals, SOPs, agreements, templates, databases, presentations, training materials and other deliverables prepared under this engagement shall become the exclusive property of MSAMB.

The Legal Service Provider(s) shall not use, reproduce or publish such documents without the prior written approval of MSAMB.

10.3 Conflict of Interest

The Legal Service Provider(s) shall avoid any actual, potential or perceived conflict of interest during the period of engagement and shall immediately disclose any such conflict to MSAMB.

10.4 Professional Standards

The Legal Service Provider(s) shall perform the assignment with due diligence, professional competence, integrity, independence and in accordance with applicable laws and recognised professional standards.

10.5 Replacement of Key Personnel

Where the selected applicant is a Legal Entity, replacement of the proposed Lead Counsel or any Key Professional shall require the prior written approval of MSAMB.

Any replacement shall possess qualifications and experience equivalent to or higher than those of the professional originally proposed.

10.6 Amendment of Scope

MSAMB may, at any time during the period of engagement, modify, expand or reduce the scope of services in accordance with its requirements.

10.7 Termination

MSAMB may terminate the engagement by giving thirty (30) days' written notice if:

- the Legal Service Provider(s) fails to perform the assigned responsibilities;
- material breach of the Agreement occurs;
- false information is found to have been submitted;

- insolvency or dissolution of the Legal Service Provider occurs; or
- continuation of the engagement is not considered to be in the interest of MSAMB.

The Legal Service Provider(s) may also terminate the engagement by giving thirty (30) days' written notice, subject to completion or orderly handover of ongoing assignments.

10.8 Force Majeure

Neither party shall be liable for failure to perform its obligations where such failure is caused by events beyond its reasonable control, including natural disasters, war, civil disturbance, epidemics or Government restrictions.

10.9 Governing Law and Jurisdiction

The engagement shall be governed by the laws of India.

Any dispute arising out of or in connection with this engagement shall be subject to the exclusive jurisdiction of the competent Courts at Shillong, Meghalaya.

10.10 Disclaimer

MSAMB reserves the right to:

- accept or reject any or all applications;
- annul or cancel the EOI process;
- amend, modify or withdraw this EOI;
- invite fresh applications; or
- discontinue the selection process,

at any stage without assigning any reason and without incurring any liability to any applicant.

11. Annexures

ANNEXURE I – Covering Letter

(On Applicant's Letterhead)

Date: _____

To
The Managing Director
Meghalaya State Agricultural Marketing Board
Cleve Colony, Shillong – 793003

Subject: Submission of Expression of Interest (EOI) for Engagement of Legal Service Provider(s) for Operationalization of the Meghalaya State Agricultural Produce and Livestock Marketing (Promotion and Facilitation) Act, 2020.

Sir/Madam,

Having examined the EOI document, I/We hereby submit our application. I/We certify that all information furnished is true and correct and that I/We accept all terms and conditions of the EOI.

Yours faithfully,

Signature:

Name:

Designation:

Applicant:

Address:

Mobile:

Email:

ANNEXURE II – Applicant Information Sheet

A. General Information

Sl.	Particular	Details
1	Name of Applicant	
2	Type of Applicant (Individual/Firm/LLP/Company/Other)	
3	Lead Counsel / Authorised Representative	
4	Designation	
5	Registered Office Address	
6	Correspondence Address	
7	Mobile Number	
8	Email Address	
9	Website	
10	PAN	
11	GST Registration No. (if applicable)	
12	Registration / Incorporation No.	
13	Date of Establishment / Incorporation	
14	Total Years of Professional Experience	

B. Professional Information

Sl.	Particular	Details
1	Total No. of Advocates / Legal Professionals	
2	No. of Partners (if applicable)	
3	No. of Associates	
4	No. of Support Staff	
5	Principal Areas of Practice	
6	Experience in Legislative Drafting	
7	Experience in Government Advisory	
8	Experience with Statutory Authorities / Boards	
9	Experience in Agriculture / Marketing / Cooperative Sector	

C. Contact Person

Particular	Details
Name	
Designation	
Mobile	
Email	

D. Declaration

I/We certify that the above information is true and correct.

Particular	Details
Signature	
Name	
Designation	
Date	
Seal	

ANNEXURE III – Details of Similar Assignments

Sl.	Client	Assignment	Year	Contract Value	Status

Attach work orders/completion certificates wherever available.

ANNEXURE IV – Details of Key Professionals

Name	Position	Qualification	Experience	Area of Expertise	Role

Attach CVs and supporting credentials.

ANNEXURE V – Technical Approach & Methodology

Maximum 5 pages

- Understanding of the Assignment
- Methodology for Operationalization of the Act
- Legislative Drafting Strategy
- Institutional Development Approach
- Stakeholder Consultation Plan
- Capacity Building Strategy
- Expected Deliverables
- Work Plan (Maximum 5 pages)

ANNEXURE VI – Conflict of Interest Declaration

I/We declare that no actual or potential conflict of interest exists which would affect impartial execution of this assignment. Any future conflict shall be immediately disclosed to MSAMB.

Signature:

Name:

Date:

Seal:

ANNEXURE VII – Declaration Regarding Blacklisting

I/We declare that I/We have not been blacklisted or debarred by any Government Department, Statutory Authority or Public Sector Undertaking.

Signature:

Name:

Date:

Seal:

ANNEXURE VIII – Checklist of Documents

Sl.	Document	Submitted (Yes/No)
1	Covering Letter	
2	Applicant Information Sheet	
3	Applicant Profile	
4	Registration Documents	
5	PAN	
6	GST	
7	Similar Assignments	
8	Key Professionals	
9	CVs	
10	Technical Approach	
11	Conflict Declaration	
12	Blacklisting Declaration	
13	Supporting Documents	

ANNEXURE IX – Client Reference Format

Client	Contact Person	Designation	Mobile	Email	Assignment

ANNEXURE X – Declaration of Acceptance of Terms

I/We have read and understood the EOI and unconditionally accept all its terms and conditions.

Signature:

Name:

Designation:

Date:

Seal:

ANNEXURE XI – Statement of Availability and Commitment

I/We confirm that the proposed Lead Counsel/Team Leader and Key Professionals shall remain available throughout the engagement. Any replacement shall require prior approval of MSAMB.

Signature:

Name:

Date:

Seal: