



कर्मचारी भविष्यनिधि संगठन
Employees' Provident Fund Organisation

श्रम एवं रोजगार मंत्रालय - भारत सरकार

Ministry of Labour & Employment-Government of India

आंचलिक कार्यालय (चेन्नै व पुदुच्चेरी) ZONAL OFFICE (Chennai & Puducherry)

37, रायपेट्टाहाईरोड, चेन्नै- 600 014 / 37, Royapettah High Road, Chennai – 600 014

ई. मेल/Email: acc.tnkr@epfindia.gov.in



**NOTICE INVITING APPLICATIONS FOR EMPANELMENT OF ADVOCATES FOR THE PANEL YEAR
2022-2025**

Employees' Provident Fund Organisation (EPFO), a statutory body of the Ministry of Labour & Employment, Government of India proposes to engage Panel Counsel (s) to represent the Central Board, EPF before Madras High court, Central Government Industrial Tribunal-cum-Labour Court, NCLAT, NCLT Chennai, State Consumer Disputes Redressal Commission, District Courts, Lower Courts and Consumer Fora.

The practicing advocates who are registered with Bar Council of India/ State Bar Council are eligible for empanelment. The qualification, experience, schedule of fees, other terms and conditions and the application format in which the application has to be made, have been prescribed.

The Advocates who are on the **existing** panel of EPFO shall cease to be on the panel of EPFO after new panel is finalized against this notice. Therefore, they may also apply afresh and submit application in **Annexure "B"** along with all supporting documents to the following address.

Eligible practicing advocates, who are **not** in the Panel of EPFO, Chennai & Puducherry Zone, must submit application in the format prescribed in **Annexure "A"** enclosed herewith, along with all supporting documents in a sealed envelope to: -

**Regional Provident fund Commissioner-I,
Employees' Provident Fund Organisation, Zonal Office,
No. 37, Roypettah High Road, Roypettah,
Chennai 600 014. e mail id: acc.tnkr@epfindia.gov.in; Tele:-044-28130007**

The envelope should be superscribed as following: -

"Application for Empanelment of Advocate for High Court, Madras/Central Government Industrial –cum-Labour Court, Chennai/NCLAT/NCLT/State Consumer Disputes Redressal Commission/District Courts/Lower Courts/Consumer Fora for 2022-2025.

The last date of receiving Applications in the prescribed format along with supporting documents is **08.08.2022 till 16.00 hours**. The scanned copy of application along with Annexures may be sent to e-mail at acc.tnkr@epfindia.gov.in followed by postal submission.

Application for empanelment at EPFO does not confer any right/assurance whatsoever to an applicant that he/she will be empanelled on the panel of EPFO. Letters to advocates confirming their empanelment will be issued by EPFO separately.



(B. ANDREW PRABHU)
Regional P F Commissioner-I



कर्मचारी भविष्यनिधि संगठन
Employees' Provident Fund Organisation

श्रम एवं रोजगार मंत्रालय -भारत सरकार

Ministry of Labour & Employment-Government of India

आंचलिक कार्यालय (चेन्नै व पुदुच्चेरी) ZONAL OFFICE (Chennai & Puducherry)

37 ,रायपेट्टाहाईरोड, चेन्नै- 600 014 / 37, Royapettah High Road, Chennai – 600 014

ई. मेल/Email: acc.tnkr@epfindia.gov.in



EMPANELMENT OF ADVOCATES

EPFO defends its cases through its Panel Advocates. It is supremely important that the legal cases of EPFO are properly defended. In order to defend the cases properly, it is necessary to have good panel counsels, capable of presenting the cases in an effective manner before the courts.

The policy/terms and conditions on empanelment of advocates to regulate the manner and procedure for empanelment is as described under:

1. GENERAL

- i. In order to effectively defend the cases before various legal fora, EPFO has its own set of panel advocates. The schedule of fees payable to them shall be as prescribed by EPFO. Further, lawyers appointed by Department of Legal affairs are not engaged by EPFO as it may not exercise any control or coordination with advocates appointed by the Department of legal Affairs.
- ii. Empanelment will only confer a right to be considered for legal work, if any, and not bind EPFO to award or give work to any Advocate, so empanelled, at any point of time during the term of engagement.
- iii. The allocation of cases/legal work shall be at the sole discretion of officers so authorized by EPFO.
- iv. Upon termination or non-renewal of term of empanelment, as the case may be, the Advocate shall return the brief(s) allocated to the Advocate by EPFO along with all other documents/records connected thereto with no objection certificate, if so required. No Advocate shall have the right to represent EPFO or undertake any activity upon expiry or termination of the term of engagement.

- .
- v. The empanelled Advocates shall not delegate cases and shall themselves deal with the same. They may have to coordinate and work with designated Senior Advocates, if any, engaged in the case as well as with the officers of EPFO, if required.
 - vi. The empanelled Advocates shall not use EPFO's name, logo, symbol, etc. on their letterhead, signboard, nameplate, pamphlets, etc., such as 'Legal Advisor of EPFO', 'Advocate of EPFO', etc. No empanelled Advocate shall represent himself as the Standing Counsel of EPFO before any court or forum unless specified as such by EPFO.
 - vii. The Advocate shall ensure efficient and effective professional services and bestow commensurate attention in relation to matters of EPFO and conduct himself at all times in accordance with the Advocates Act, 1961 and rules laid down by the Bar Council of India, including rules regarding code of conduct and ethics.
 - viii. The Advocate, while pursuing any case on behalf of EPFO, shall not act without instructions of EPFO and inform EPFO about the proceedings of each hearing by reporting mail and furnish copy of orders of each date without which the EPFO may not settle bills of payment.
 - ix. The Advocate shall not seek any adjournment without any valid or cogent reasons. Under no circumstances, the matters entrusted by EPFO should go unattended before the Court, which shall be viewed as serious violation of conditions of empanelment and may entail taking back the brief or cancellation of such empanelment.
 - x. The performance of each empanelled Advocate shall be subject to periodical review in such form as may be prescribe in this behalf by the Competent Authority.
 - xi. The empanelled Advocate shall maintain strict confidentiality of the cases or other matters handled on behalf of EPFO and shall not divulge any information to any third party or to the media. Any Advocate who is found to have violated the above condition shall be liable to have his empanelment cancelled immediately without further notice.
 - xii. Refusal of any empanelled Advocate to take up a matter on behalf of EPFO, without proper justification or grounds, shall entail cancellation/withdrawal of engagement.
 - xiii. EPFO reserves the right to modify or relax the terms and conditions of engagement at any time and also the right to verify the information submitted by the Advocate/law. The Advocates shall in full accept the terms and conditions of the empanelment as determined by EPFO from time to time.

- xiv. The Advocate should have an office at the place where empanelment is sought. The Advocate should have adequate infrastructure in terms of accessible office, chambers, library, manpower, etc. which shall be considered at all times.
- xv. The Advocate should have excellent communication skills.
- xvi. The applications of Advocates should be shortlisted on such basis as may be decided by the EPFO. The shortlisted advocates may be called for further interaction before finalization of their empanelment. No TA/DA will be admissible for attending such interaction.
- xvii. EPFO reserves the right to accept or reject any application without assigning any reason or to postpone or cancel the entire process, if necessary.

2. ELIGIBILITY CRITERIA FOR EMPANELMENT

- i. The Advocate should have a Bachelor Degree in Law from a recognized university.
- ii. The Advocate should be enrolled/ registered as an advocate with a Bar Council.
- iii. The Advocates are required to have the minimum professional/court practice experience of minimum **7 years for High Courts and other Courts** in the State. For **NCLAT, NCLT a minimum of 10 years'** experience shall be required.
- iv. However, the Central Provident Fund Commissioner may relax the experience or prescribe any other additional qualification or condition as deem fit.

3. TENURE OF PANEL

In the interest of continuity and stability, ordinarily the panel shall be constituted for a period of **3 years**. However, for the reasons to be recorded in writing the panel can be discontinued before expiry of the term. The process of new panel shall be started not later than 3 months of expiry of the existing panel. For any reason with a panel is re-constituted before expiry of the existing panel, the existing panel shall continue till new panel is constituted so that the on-going litigations are not affected.

4. PAYMENT OF FEE AND OTHER CONDITIONS

- i. The fee payable to the Advocates shall be such as prescribed by EPFO, from time to time.
- ii. EPFO shall have the right in exceptional cases to approve the payment of a higher fee than the fee mentioned in the annexed schedule keeping in view the importance of the matter and the efforts put in by the advocate in a particular case.
- iii. No retainer fee shall be paid to any Panel Advocate merely because such advocate has been empanelled.

5. GENERAL PROCEDURE FOR EMPANELMENT

- i. The applicant advocate must apply in such form/format as may be prescribed by EPFO. No other form/format will be entertained.
- ii. Depending upon the requirement and number of applications received, EPFO reserves the right to shortlist the candidates to be called for interaction and to be empanelled.
- iii. Merely fulfilling the eligibility criteria will not confer any right on an applicant advocate to be called for interaction and to be selected.
- iv. The decision of EPFO regarding short listing and selection of the candidates shall be final.
- v. Canvassing in any form shall be treated as disqualification. The candidature of such applicants shall be cancelled forthwith.
- vi. The date-time, venue and mode of interaction shall be communicated by E-mail or letter.
- vii. The applicant advocate may be required to bring original documents at the time of interaction.
- viii. The list of selected advocates will be made available in public domain by EPFO. The applicant advocates selected for empanelment may be issued electronic or written communication by EPFO separately.

6. DOCUMENTS TO BE SUBMITTED BY THE ADVOCATE

The Advocates will be required to furnish such documents along with the application as may be prescribed by the Competent Authority. Generally such documents shall include

- a. Copy of Law Degree and other qualifications;
- b. Copy of Registration Certificate Issued by the Bar Council;
- c. Copy of Identity Card issued by the Bar Association;
- d. Copy of ID Proof;
- e. Copies of 10 judgments where the Advocate has appeared as pleader;
- f. Copies of Empanelment Letter issued by other Authorities/entities in favour of the Advocate;
- g. Resume' with a brief profile of experience, background, education, list of clients and nature of cases dealt with;
- h. Two recent coloured passport size photographs;
- i. Copy of Income Tax Returns for last two financial years.

7. DUTIES OF THE EMPANELLED ADVOCATES

- i. The Advocate shall not advise any party or accept any case against EPFO in any legal fora.
- ii. Timely appearance of the Counsel to contest the cases for EPFO in the Court is a must. His/her absence in the Court, without any reasonable ground and notice in advance, will not be accepted.
- iii. EPFO sends the information to the panel advocates through e-mail regarding entrustment of a case and after receiving the e-mail, it is duty of the Panel Advocates to collect the brief/copy of petition along with assignment letter from the concerned office of EPFO at the earliest.
- iv. EPFO is free to engage any advocate of its own choice and an empanelled Advocate shall make no claim that he/she alone would be entrusted with EPFO's legal matter (s).
- v. Refusal by any advocate to accept any work without any reasonable cause (e.g. on grounds of conflict of interest) may entail removal of such advocate from the panel, forthwith without waiting for the empanelment period to expire.
- vi. The advocates shall accept the terms and conditions of the empanelment as determined by EPFO from time to time.
- vii. In order to ensure that there is effective check on the cases being conducted, the Advocates on the Panel must report the status of the cases after each date of hearing. Failure to submit status report will be ground for removal of the name of the lawyer concerned from the panel.
- viii. In cases where on the request of the Union of India, Ministry of Labour & Employment have also to be represented, no extra fee shall be paid to the advocate to watch and safeguard the interests of Union of India, Ministry of Labour & Employment.
- ix. If required, render all assistance to Special or Senior Counsel engaged in particular cases before the Supreme Court or any other judicial body. If required, the advocate may be assigned matters to defend interest of CBT, EPF/EPFO before various legal forums within/out-side Delhi.
- x. Keep EPFO informed and updated on all-important developments in the designated cases, dates of hearing, order of the court on the date of its pronouncement, supplying copy of orders/judgment etc.
- xi. Furnish monthly statement about the cases represented by him/her before the legal fora and their outcomes.
- xii. When any case attended by him/her is decided against the Organization, the Advocate concerned must give considered opinion regarding the reasons for such adverse order and the advisability of filing an appeal from such a decision not later than 5 working days of the order (Copy of certified order).

- xiii. 30% of the fees payable to the counsel shall be deducted if the certified copy of the judgment is not handed over to the Legal cell of EPFO within three days (excluding the time taken by the Court in preparation of the copy) from the date of judgment.

8. RIGHT TO PRIVATE PRACTICE AND RESTRICTIONS

- i. An Advocate shall have the right to private practice which should not, however, interfere with or be in conflict with the efficient discharge of his duties as an empanelled Advocate of EPFO.
- ii. An Advocate shall not advise any party or accept any case against EPFO in any legal fora.

9. CANCELLATION OF EMAPANELMENT

Empanelment of an advocate shall be liable to be cancelled due to occurrence of any of the below mentioned reasons:

- i. Giving false information in the application for empanelment;
- ii. Failing to attend the hearing of the case without any sufficient reason and/or prior information;
- iii. Not acting as per EPFO's instructions or going against specific instructions;
- iv. Threatening, intimidating or abusing any of the EPFO's employees, officers, or representatives;
- v. Passing on information relating to EPFO's case on to the opposite parties or their advocates or any third party which is likely to cause any damage to the EPFO's interests;
- vi. Giving false or misleading information to EPFO relating to the proceedings of the case; and
- vii. Seeking frequent adjournments or not objecting the adjournment moved by other party without sufficient reason.
- viii. Frequent absence from the court proceedings even if "pass over" or "proxy" is obtained by an advocate.
- ix. Poor performance of panel Advocate assessed by the monitoring committee.

Further, EPFO reserves the right to terminate the empanelment of a Counsel with one month's notice in writing without assigning any reason. The counsel may also resign from the organisation by serving one month's notice

10. REMOVAL OF DIFFICULTY

In the matter of implementation of these guidelines if any doubt or difficulty arises or doubt regarding the interpretation of any clause of these guidelines arises, the decision of EPFO shall be final.

11. RELAXATION OF ANY TERMS AND CONDITIONS

Central Provident Fund Commissioner shall have the power to relax any terms and conditions prescribed in this chapter.

Application form for new advocates

Application No _____ (To be filed by EPFO)

APPLICATION FORM FOR EMPANELMENT FOR HIGH COURT, NCLT, NCLAT, CGIT, CAT, NCDRC, SCDRC, DCDRF, DISTRICT/LOWER COURTS IN EPFO (TO BE FILLED IN BY ALL NEW APPLICANT ADVOCATES -FOR BLOCK YEAR 2022-2025.

To

**Regional Provident fund Commissioner-I
Employees Provident Fund Organization, Zonal Office,
No.37, Royapettah High Road,
Royapettah, Chennai 600 014.**

Name (in Block Letter)	
Father's Name	
Court for which applied	

PERSONAL DETAILS (In Block Letters)		
1.	Name in FULL (in block letters)	
2.	Father's/ Husband's Name	
3.	Date of Birth	
4.	Age on (last Date of receipt of application)	
5.	Nationality	
6.	Marital Status	
7.	Address for correspondence with PIN and Phone	
8.	Permanent Address with PIN and Phone	

9.	Address of office/chamber, if any, with PIN and Phone	
10.	Bar Council Enrollment number (please attach a copy)	
11.	Mobile Number (s)	
12.	Email ID:	
13.	Are you related to any EPFO employee? If so, please give details (Viz. Name, Designation, place of work & relationship with the applicant):	

14. Details of Educational qualification (Commencing with the matriculation or equivalent examination)

Examinations Passed	Name of Board/University	Name of institution	Class or division	% of Marks	Subjects	Year of passing
10th /Matriculation						
12 th / Intermediate						
Graduation						
LLB/Law Graduate Degree						
Post- Graduation						
Other Professional Qualifications						

15. Whether the applicant is currently on the Panel of any other Government Department/ PSU /Statutory Body/ Autonomous Body etc., and if Yes, the details below (Self- certified Copy of the Office Order/letter of empanelment may be attached): -

Name of the Department/ PSU/Statutory Body/Autonomous Body	From	To
1.		
2.		
3.		
4.		

16. Whether the applicant has worked as Legal Researcher (LR) attached to any Court/Judge? If yes, the details and the supporting documents: -

Name of Court/Judge	Period of Research	Supporting documents
1.		
2.		

17. If one or more advocates are associated as juniors of the applicant, their details be provided below: -

SI. No.	Name of the advocate	Enrolment no. with date

18. Infrastructural facilities available with the applicant (please tick if available be provide below:

SI. No.	Office space	Office clerk	Steno/typist	Support staff

19. Number of Cases handled at various judicial forums (last five years)

Name of the Court	Year	Number of cases won	Number of cases lost	Number of remanded back cases	No. of pending cases
Supreme Court					

High Court					
Central Administrative Tribunal					
Others (please specify)					

20. Whether the applicant has been engaged (through Vakalatnama) as counsel in any landmark or mother case? If yes, the particulars of the case with copy of the judgment wherein his/her name is recorded as advocate for one of the parties (Copy of order/judgment be attached as proof): -

Name of the Court	Case title	Nature of Judgment/Brief

21. Details of Bank Account, PAN be provided below: -

Bank Account Details (Bank, Account Number, Address of the branch and IFSC code)	PAN Number	Aadhar Number

22. Annual Income for the last two years.

S.No.	Financial year	Annual Income
1		
2		

23. Whether any proceeding has ever been commenced or is continuing before the Disciplinary Committee of the Bar Council for alleged professional misconduct: -

SI. No.	Details of allegations and Proceedings	Finding made by the Disciplinary Committee.

24. Whether any criminal complaint has ever been filed or FIR registered or any criminal proceeding has ever commenced against the applicant advocate: -

SI. No.	Details of allegations and Proceedings	Finding made by the Court

25. Any additional professional qualification(s), which will further the candidature, including membership of professional societies, awards and honours etc. may be listed in the box below. (Documentary proofs may be attached):

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26. DOCUMENTS TO BE ENCLOSED:

- a. Copy of Law Degree and other qualifications;
- b. Copy of Registration Certificate Issued by the Bar Council;
- c. Copy of Identity Card issued by the Bar Association;
- d. Copy of ID Proof;
- e. Copies of 10 judgments where the Advocate has appeared as pleader;
- f. Copies of Empanelment Letter issued by other Authorities/entities in favour of the Advocate;
- g. Resume' with a brief profile of experience, background, education, list of clients and nature of cases dealt with;

- h. **Two recent coloured passport size photographs;**
- i. **Copy of Income Tax Returns for last two financial years.**

UNDERTAKING

1. **I hereby confirm and declare that the information furnished in the application and in the attached Certificate is true/correct and complete to the best of my knowledge and belief. I have not concealed any relevant information. I am fully aware that if any of the information furnished by me is found to be false/ incorrect, my candidature for the empanelment will be treated as cancelled and matter will be referred to the appropriate authority.**
2. **I also undertake to maintain absolute secrecy about the cases of the EPFO as required under the Act, Rules and Regulations thereunder.**
3. **I have read and understood the terms and conditions of the empanelment and agree with them.**
4. **I also undertake to abide by the terms and conditions of engagement.**
5. **I also undertake to return all case files and records to the EPFO as and when required by EPFO.**
6. **I agree with the Fee Schedule notified by EPFO.**

Signature of Advocate

Enrolment Number: _____

Mobile Number: _____

Place: _____

Date: - _____

Application format for existing advocates

APPLICATION NO _____ (To be filled by EPFO)

To

**Regional Provident fund Commissioner-I
Employees Provident Fund Organization, Zonal Office,
No.37, Royapettah High Road,
Royapettah, Chennai 600 014.**

**INFORMATION SHEET (To be filled in by existing Panel advocates and applying
for fresh Empanelment- FOR BLOCK YEAR 2022-2025)**

1. Name of the Panel Advocate: _____

2. Bar Council
Enrolment Number and date of registration (Please attach a copy)

3. Presently Empanelled for Supreme court/High Court /
CGIT/ NCLT/ NCLAT/ CAT/ NCDRC/SCDRC/ DCDRF/ DISTRICT/LOWER
COURTS _____

4. Duration in the Panel: -

5. Court for which applied for:

6. No. of cases handled (EPFO) (Last 2 years): -

Name of the Court	Year	No. of Cases assigned (opening balance)	No. of fresh cases allotted	No. of cases won	No. of Cases lost	No. of remanded back cases	No. of Pending cases (closing balance) (As on date)
Supreme Court							
High Court							

Central Administrative Tribunal							
Others (please specify)							

7. Annual Income for the last two years.

S.No.	Financial year	Annual Income
1		
2		

8. Whether any proceeding has ever been commenced or is continuing before the Disciplinary Committee of the Bar Council for alleged professional misconduct: -

SI. No.	Details of allegations and Proceedings	Finding made by the Disciplinary Committee.

9. Whether any criminal complaint has ever been filed or FIR registered or any criminal proceeding has ever commenced against the applicant advocate: -

SI. No.	Details of allegations and Proceedings	Finding made by the Court

10. Name and Designation of relatives/spouse in EPFO

S.No.	Name of the relative in EPFO and his/her Place of posting & designation	Relation

11. Details of oldest pending with the advocate: -

12. Special achievements, if any (please add page if required)

13. Remarks of applicant advocate, if any _____

UNDERTAKING

- A. I hereby confirm and declare that the information furnished in the application and in the attached Certificate is true/correct and complete to the best of my knowledge and belief. I have not concealed any relevant information. I am fully aware that if any of the information furnished by me is found to be false/ incorrect, my candidature for the empanelment will be treated as cancelled and matter will be referred to the appropriate authority.
- B. I also undertake to maintain absolute secrecy about the cases of the EPFO as required under the Act, Rules and Regulations thereunder.
- C. I have read and understood the terms and conditions of the empanelment and agree with them.
- D. I also undertake to abide by the terms and conditions of engagement.
- E. I also undertake to return all case files and records to the EPFO as and when required by EPFO.
- F. I agree with the Fee Schedule notified by EPFO.

Signature of Advocate

Enrolment Number: _____

Mobile Number: _____

Place: _____

Date: - _____