

अपर केन्द्रीय भविष्य निधि आयुक्त कार्यालय (दिल्ली व उत्तराखंड)

OFFICE OF THE ADDL. CENTRAL PROVIDENT FUND COMMISSIONER (Delhi & Uttarakhand)

कर्मचारी भविष्य निधि संगठन - श्रम एवं रोजगार मंत्रालय

EMPLOYEES' PROVIDENT FUND ORGANISATION

MINISTRY OF LABOUR & EMPLOYMENT, GOVERNMENT OF INDIA

भविष्य निधि भवन/ BHAVISHYANIDHI BHAWAN

सामुदायिक भवन, वज़ीरपुर इंडस्ट्रियल एरिया, दिल्ली-110052

दूरभाष/Phone: 011-27376784 फ़ैक्स/Fax: 011-27376174

ईमेल / E-mail: acc.dlut@epfindia.gov.in

No. ACC/1(1023)DL&UK/EmpanelmentofAdvocates/DDN/2021/1904

Dated: 04 Dec. 2022

कार्यालय ज्ञापन

विषय: उत्तराखंड (ब्लॉक वर्ष- 2023-26) राज्य के लिए अधिवक्ताओं को मनोनीत करने हेतु आवेदन आमंत्रण की सूचना

केंद्रीय न्यासी बोर्ड की ओर से कर्मचारी भविष्य निधि संगठन (ईपीएफओ), श्रम एवं रोजगार मंत्रालय, भारत सरकार का एक सांविधिक निकाय उसके आंचलिक कार्यालय (दिल्ली एवं उत्तराखंड) के उत्तराखंड राज्य के क्षेत्राधिकार के अंतर्गत क्षेत्रीय कार्यालयों के उच्च न्यायालय, सीजीआईटी, कैट, डीसीडीआरएफ, एससीडीआरएफ, एनसीडीआरसी, एनसीएलटी, एनसीएलएटी तथा निम्न/ जिला न्यायालयों के समक्ष कानूनी मामलों का प्रतिनिधित्व करने अधिवक्ताओं हेतु अधिवक्ताओं के पैनल की नियुक्ति का प्रस्ताव करता है।

2. भारतीय अधिवक्ता-संघ परिषद/ राज्य अधिवक्ता-संघ परिषद के साथ पंजीकृत अभ्यासरत अधिवक्ता नियुक्ति के पात्र हैं। (अनुलग्नक ए एवं बी) के संबंध में योग्यता, अनुभव, शुल्क की अनुसूची, अन्य नियम और शर्तें और आवेदन प्रारूप जिसमें आवेदन किया जाना है एवं दिशनिर्देश इस विज्ञापन के साथ संलग्न है।

3. योग्य अधिवक्ता जो क.भ.नि. सं के उत्तराखंड राज्य के लिए सर्वोच्च न्यायालय के अलावा अन्य न्यायालयों के मौजूदा पैनल में नहीं हैं, वे अनुलग्नक "ए" प्रारूप में आवेदन जमा कर सकते हैं। वे अधिवक्ता जो क.भ.नि. सं के दिल्ली राज्य के लिए सर्वोच्च न्यायालय के अलावा अन्य न्यायालयों के मौजूदा पैनल में कार्यरत हैं, वे अनुलग्नक "बी" के प्रारूप में नए सिरे से आवेदन करें। सभी संबंधित दस्तावेजों के साथ आवेदन एक सीलबंद लिफाफे में निम्न पते पर भेजे जाने चाहिए:-

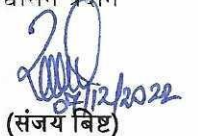
क्षेत्रीय भविष्य निधि आयुक्त-1 (विधि),
अपर केन्द्रीय भविष्य निधि आयुक्त(मु.)(दिल्ली एवं उत्तराखंड) का कार्यालय,
कर्मचारी भविष्य निधि संगठन- श्रम एवं रोजगार मंत्रालय, भारत सरकार,
8वां तल भाविष्य निधि भवन, 28 सामुदायिक केंद्र वज़ीरपुर औद्योगिक क्षेत्र, दिल्ली-110052
फोन : 011-27376784 /फैक्स : 011-27376174

4. आवेदन वाले लिफाफे पर निम्नानुसार अभिलेखित होना चाहिए:

"उत्तराखंड राज्य क्षेत्र के अंतर्गत उच्च न्यायालय/ कैट, सीजीआईटी, एनसीएलटी/ उपभोक्ता फोरम - डीसीडीआरएफ/ एससीडीआरसी, एनसीडीआरसी/ जिला न्यायालय/ निचली अदालतों हेतु अधिवक्ताओं को मनोनीत करने हेतु आवेदन"

5. सहायक दस्तावेजों के साथ निर्धारित प्रारूप में आवेदन प्राप्त करने की अंतिम तिथि 30.12.2022 (शुक्रवार), दिसम्बर 2022 साँय 17:45 घंटे तक है। अनुलग्नकों के साथ आवेदन की स्कैन की गई प्रति ई-मेल acc.dlut@epfindia.gov.in पर भेजी जा सकती है, तत्पश्चात इसे डाक द्वारा भेजा जाए।

6. ईपीएफओ में पैनल के लिए किया गया आवेदन आवेदक को ईपीएफओ के में चयन हेतु कोई अधिकार / आश्वासन प्रदान नहीं करता है। ईपीएफओ पैनल प्रक्रिया पूरी होने के पश्चात चयनित अधिवक्ताओं को पैनल हेतु पत्र जारी करेगा।
(अपर के.भ.नि. आयुक्त (मुख्यालय) दिल्ली व उत्तराखंड के अनुमोदन से जारी)


(संजय बिष्ट)

क्षेत्रीय भविष्य निधि आयुक्त-1 (विधि)
आंचलिक कार्यालय (दिल्ली एवं उत्तराखंड)

प्रतिलिपि:

1. उत्तराखंड राज्य के सभी प्रभारी- क्षेत्रीय भविष्य निधि आयुक्तों को सूचनार्थ एवं आवश्यक कार्रवाई हेतु।
2. प्रभारी- क्षेत्रीय भविष्य निधि आयुक्त क्षेत्रीय कार्यालय, देहरादून।
3. प्रभारी- क्षेत्रीय भविष्य निधि आयुक्त क्षेत्रीय कार्यालय, हल्द्वानी।

अपर केन्द्रीय भविष्य निधि आयुक्त कार्यालय (दिल्ली व उत्तराखंड)

OFFICE OF THE ADDL. CENTRAL PROVIDENT FUND COMMISSIONER (Delhi & Uttarakhand)

कर्मचारी भविष्य निधि संगठन - श्रम एवं रोजगार मंत्रालय
EMPLOYEES' PROVIDENT FUND ORGANISATION
MINISTRY OF LABOUR & EMPLOYMENT, GOVERNMENT OF INDIA

भविष्य निधि भवन/ BHAVISHYANIDHI BHAWAN
सामुदायिक भवन, वज़ीरपुर इंडस्ट्रियल एरिया, दिल्ली-110052

दूरभाष/Phone: 011-27376784 फ़ैक्स/Fax: 011-27376174

ईमेल/E-mail: acc.dlut@epfindia.gov.in

No. ACC/1(1023)DL&UK/Empanelment of Advocates/DDN/2021/1903

Dated: 07 Dec. 2022

OFFICE MEMORANDUM

Subject: Notice for inviting application for empanelment of Advocates for Uttarakhand State (Block Year 2023-2026)

Employees' Provident Fund Organization (EPFO), on behalf of the Central Board, Employees' provident Funds, a statutory body of the Ministry of Labour & Employment, Government of India, proposes to empanel legal Counsel(s) to represent the Central Board, EPF before, High Court, Central Government Industrial Tribunal (CGIT), CAT, DCDRC, SCDRC, NCDRC, NCLT, NCLAT and lower/ District Courts at Uttarakhand State.

2. 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, is enclosed.

3. Eligible practicing advocates who are not in the existing panel of EPFO, Uttarakhand State may submit application in the format- **Annexure-"A"**. The Advocates who are on the existing panel of EPFO Delhi State should apply afresh in the format at **Annexure-"B"**. Application along with all supporting documents should be sent in sealed envelope to:-

Regional Provident Fund Commissioner-I (Legal),
Office of The Add. Central Provident Fund Commissioner (Delhi & Uttarakhand),
Employees' provident Fund Organisation-Ministry of Labour & Employment, Govt. of India,
8th Floor, Bhavishya Nidhi Bhawan, 28 Community Centre, Wazirpur Indl Area, Delhi-110052
/Phone:011-2737684 फ़ैक्स/Fax:011-27376174

4. The envelope containing the application should be superscribed as follows:

"Application for Empanelment of Advocates for High Court/ CAT, CGIT, NCLT, NCLAT/Consumer Forums-DCDRF/SCDRF, NCDRC/District Courts/ Lower Courts having jurisdiction in the state of Uttarakhand"

5. The last date of receiving applications in the prescribed format along with supporting documents is 30.12.2022 (Friday) December, 2022 till 17:45 hours. The scanned copy of application along with Annexures may be sent by email at acc.dlut@epfindia.gov.in followed by postal submission.

6. Application for empanelment at EPFO does not confer any right/ assurance whatsoever, to an applicant that he/ she will be included in on the panel of EPFO. The EPFO would issue letter of empanelment to the eligible advocates after completion of empanelment process

[This issues with the approval of Addl. CPFC, (HQ) Delhi & Uttarakhand]


07/12/2022
(Sanjay Bisht)

Regional P.F.Commissioner-I (Legal)
(Zonal Office, Delhi & Uttarakhand)

Copy to:

1. Officer In-Charge Regional Office, Dehradun.
2. Officer In-Charge Regional Office, Haldwani.

ANNEXURE-A

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, DCDRE, DISTRICT/LOWER COURTS IN EPFO (TO BE FILLED IN BY ALL NEW APPLICANT ADVOCATES -FOR BLOCK YEAR

To,

Regional Provident fund Commissioner (Legal)

Address of Zonal Office

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	

5048992022/23/30 (DL)

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: -

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

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

Sl. 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					

504899/2022/Zone(DL)

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: -

Sl. 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: -

Sl. 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):

--

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 also undertake to abide by the terms and conditions of engagement.
4. I also undertake to return all case files and records to the EPFO as and when required by EPFO.
5. I agree with the Fee Schedule notified by EPFO.

Signature of Advocate

Enrolment Number: _____

Mobile Number: _____

Place: _____

Date: - _____

ANNEXURE-B

Application format for existing advocates

APPLICATION NO _____ (To be filled by EPFO)

To,

Regional Provident fund Commissioner
(Legal)
Address of Zonal Office

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

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: -

Sl. 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: -

Sl. 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 also undertake to abide by the terms and conditions of engagement.
- D. I also undertake to return all case files and records to the EPFO as and when required by EPFO.
- E. I agree with the Fee Schedule notified by EPFO.

Signature of Advocate

Enrolment Number: _____

Mobile Number: _____

Place: _____

Date: - _____



ईपीएफओ, मुख्य कार्यालय
 कर्म एवं रोज़गार मंत्रालय, भारत सरकार
 भविष्य निधि भवन, 14, भीकाजी कामा प्लेस, नई दिल्ली 110066



EPFO, HEAD OFFICE

MINISTRY OF LABOUR & EMPLOYMENT, GOVERNMENT OF INDIA
 BHAVISHYA NIDHI BHAWAN, 14, BHIKAJI CAMA PLACE, NEW DELHI 110066

www.epfindia.gov.in

GUIDELINES

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 panel advocates for Supreme Court cases are appointed by Head Office, with the approval of CPFC, while with a view to decentralize and improve the monitoring the Additional CPFCs (Zonal) are empowered to empanel the advocates for other courts for the field offices under their jurisdiction.

The policy 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 foras, 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. Cases involving similar issues/points of law or otherwise interlinked or clubbed may be entrusted to the same Advocate as far as possible, while care shall be

taken to avoid concentration of cases in the hands of one Advocate/ a few advocates.

- vi. 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.
- vii. 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.
- viii. 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.
- ix. 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.
- x. 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.
- xi. 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.
- xii. 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.
- xiii. 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.
- xiv. 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.

- xv. 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.
- xvi. The Advocate should have excellent communication skills.
- xvii. 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.
- xviii. EPFO reserves the right to accept or reject any application without assigning any reason or to postpone or cancel the entire process, if necessary.
- xix. If required and considered appropriate by the Competent Authority, Attorney General of India/Solicitor General of India/Additional Solicitor General/Advocate General/Designated Senior Advocates may be engaged to argue the cases on behalf of EPFO keeping in view the importance of the matter. The Competent Authority in these cases shall be the Central Provident Fund Commissioner or any officer so authorized by Central Provident Fund Commissioner.
- xx. An advocate can be engaged from outside the panel of the Central Board/EPFO, against a fee which is higher than that prescribed by EPFO", if his/her engagement for litigation is considered desirable to protect or promote the best interest of social security or the Central Board/EPFO. Such an advocate can be engaged only after recording the reason for his/her engagement and after securing the permission of the Central Provident Fund Commissioner at least two weeks before the date of hearing.

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. For Supreme Court, the Advocate should be registered as an Advocates-on Record.
- iv. 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 Supreme Court, NCDRC, NCLAT, NCLT a minimum of 10 years' experience shall be required.
- v. 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. SIZE OF PANEL

- i. In order to effectively and closely monitor the advocates, there is a need to fix the limit on the size of the panel. Further, there is also a need for fixing the limit of cases per advocate so that all the advocates get proportionate work. However, for the best performing advocates, relaxation can be made by the Officer incharge(OIC) in Regional Offices(RO) and ACC HQ Legal in Head Office.
- ii. The size of the panel in Zone should be so decided that one advocate is allocated around 20-30 cases depending on the work load. However, for reasons to be recorded and based on good performance of an advocate, additional cases can be assigned with the approval of OIC in ROs and ACC HQ Legal in Head Office. The maximum size of panel should not exceed 50-60 advocates and minimum 5 advocates.
- iii. The size of the panel of Supreme Court should be around 15 to 20 advocates.

5. 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.

6. 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. SMS etc. may be used as additional form of communication.
- 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.

7. 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.

8. SELECTION COMMITTEE

i. In place of the existing system of single selection committee for empanelment, there shall be a two level committee-

- a) One, for short listing of new applicants based on the documents and profile, and performance in case of existing advocates.
- b) Second, for interacting in interviews and selecting advocates from the shortlist.

ii. **Head Office:** The two level committee for Supreme Court empanelment at Head Office shall consist of the following members-

- a) First level committee-Two ACCs and one RPFC Legal.
- b) The second level committee- ACC HQs, ACC and RPFC.

The members of both the committees shall be nominated by CPFC. Any special invitee may be co-opted with the permission of CPFC.

iii. **Zonal Level:** The two level committee at the Zonal level shall consist of the following members-

- a) First level committee- Three RPFCs nominated by ACC Zone
- b) Second level committee- headed by ACC Zone with two RPFCs as he may nominate.

Any special invitee may be co-opted with the permission of ACC Zone.

9. DUTIES OF THE EMPANELLED ADVOCATES

- i. The Advocate shall not advise any party or accept any case against EPFO in which he/she appeared or is likely to be called upon to appear for or advise which is likely to affect or lead to litigation against EPFO.
- 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).



CHAPTER-VIII

PAYMENT OF FEES TO
PANEL ADVOCATES

PAYMENT OF FEES TO PANEL ADVOCATES

Fee payable to advocates on the panel of the Central Board/EPFO and other legal practitioners who may be engaged

Head Office vide circular no. LC-4(1)2016/18332 dated 25.01.2017 has conveyed the approval of competent authority on revision of the structure of fee in relation to panel advocates and various categories of legal practitioners engaged by the

Central Board/EPFO. The revised rates are laid down in four tables - A, B, C, D and E.

A. SUPREME COURT :

The fee structure applicable to a legal practitioner engaged in connection with litigation in the Supreme Court will be at the rates revised as under:-

Table-A

Sl. No.	Item of Work	Fee for legal practitioner (in Rs.)
1.	All Regular Appeals and All defended Writ Petitions for final hearing	Rs. 9,000/-per case per day
2.	All defended Admission matters (SLP/TP /WP/etc)	Rs.4,500/- per case per day
3.	Settling of Pleadings	—
4.	Appearance in Miscellaneous Applications	—
5.	Conference	—
6.	Out of Headquarter	Rs.9,000/- daily fee for the days of his absence from HQ.
7.	Conveyance charges for performing local Journey while outside Headquarter	Rs. 1500/-
8.	Clerkage	Nil
9.	Drafting SLP/ Counter Affidavit/Rejoinder	Rs. 3000/- per case
10.	Drafting Written Submission	Rs.3000/- per case
11.	Drafting or Appearance in Miscellaneous Applications (including mentioning of the case/ Caveat/ clearance/ obtaining the number and taking date for hearing)	Rs.3000/- per case

Note: - Advocates of good repute and more than 20 years' experience may also be engaged at the rates applicable to Group A Panel Counsel in Ministry of Law and Justice circular dated 01.10.2015, reproduced as below. —



Sl. No.	Item of Work	Fee for legal Practitioner (In Rs.)
1.	All Regular Appeals and All defended Writ Petitions for final hearing	Rs. 13,500/- per case per day
2.	All Admission matters (SLP/TP /WP/etc)	Rs .9,000/- per case per day
3.	Settling of Pleadings	Rs. 5,250/-per case
4.	Appearance in Miscellaneous Applications	Rs. 4,500/- per case
5.	Conference	Rs.900/- per case
6.	Out of Headquarter	Rs.13,500/- daily fee for the days of his absence from HQ
7.	Conveyance charges for performing local journey while outside Headquarter	Rs.1500/-
8.	Clerkage	Nil
9.	Drafting SLP/ counter Affidavit/Rejoinder	-
10.	Drafting Written Submission	-
11.	Drafting or Appearance in Miscellaneous Applications (including mentioning of the case/ Caveat/Clearance/obtaining the number and taking date for hearing)	-

All other terms and conditions applicable to Panel Counsels in the pre- revised OM bearing number No. 21(04)1999-Judl dated 24.09.1999 read with OM bearing number No. 21(05)2011-Judl dated 01.10.2011 issued by the Ministry of Law and Justice shall continue to remain applicable.

B. HIGH COURT AND NCDRC:-

The fee structure applicable to Panel Counsels, Assistant Solicitors General of various High Courts, Central Government Standing Counsel, Senior Central Government Standing Counsel (Sr.CGSC) engaged in connection with litigation in all High Courts, and NCDRC are revised as per the following rates:-

Table-B

S. No.	Item of work	Revised fee
1.	Suits, Writ Petitions and Appeals, including oral Applications for Leave to Appeal to Supreme Court in Writ Petitions and Revision Petitions including Special civil applications in High Courts	Rs. 9,000/- per case per day of effective hearing. In case of non-effective hearing Rs.1,500/- per day subject to maximum of five hearings.
2.	Application for Leave to Appeal to Supreme Court in Writ Petitions-	Rs. 3,000/- per case
3.	Drafting or Settling pleadings, and Affidavits (per pleadings)	Rs. 3,000/- per case

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S. No.	Item of work	Revised fee
4.	Miscellaneous Application	Rs. 3,000/- per case
5.	Conference	Rs 900/- per conference subject to the following limitations:- (I) In respect of settling pleadings- one conference. (ii) In respect of hearing of Writ matters, Suits, appeals and Supreme courts leave applications etc- Three conferences
6.	Miscellaneous and out of pocket expenses	As per actuals to the satisfaction of the concerned field office
7.	Written opinions and written advice including advice on evidence (inclusive of consultation)	Rs. 3,750/-

All other terms and conditions applicable to the above-mentioned Counsels in various High Courts / CAT Benches as laid down vide the Department of Legal Affairs', OM No. 24(2)1 99-judl., OM No. 26(3)99-Judl., OM No. 25(3)/99-Judl., and OM No. 26(2)/9 Judl., all dated 24.09.99, read with OM No-26(1)/2005-Judl. dated 31.01.2008, OM No. 26(1)/2011- Judl., dated 01.10.2011, OM No.23(2)2001-Judl & OM No. 22(02)2001 dated 14.7.2001 and OM 23(2)2011-Judl dated 1.10.2011 shall continue to remain applicable.

C. CGIT and CAT

The fees to be paid to panel advocates of **all CGITs and all CATs** should be at par with the fee structure (considering Ministry of law and Justice OM No. 26(1)/2014/judl. dated 01.10.2015) applicable for Panel Counsel and Central Govt. Counsel/ Pleader of various High Courts (including Panel Counsel of various CAT, Benches), which is as under:-

Table-C

Sl. No.	Item of work	Revised fee
1.	Civil or Criminal Writ Petitions under Article 226 & 227 of the Constitution, Contempt Petitions, Criminal/Civil Revision Petitions, Reference to the High Court under Sales Tax Act and Banking Company Petitions.	Rs 2250/- per effective hearing, Rs. 450/- per non- effective hearing (subject to maximum of five hearings in a case)
2.	Original Suits, Civil Appeal from Decrees in Suits and proceedings including second appeal and land acquisition appeal except LPA from Petitions under Article 226 & 227 of the Constitution (including drafting fee)	Ad. Valorem/regulation fee (subject to maximum of RS. 45,000/- in a cases)
3.	Company Petitions	To be regulated by the rule contained in Appendix (iii) of the Company (Court) Rules, 1959

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Sl. No.	Item of work	Revised fee
4	Drafting of pleading counter affidavits/returns / answer to Writ Petitions/Grounds of Appeal and application for leave to appeal to the Supreme Court	Rs. 1,350/- per pleading
5	Drafting of Civil Misc. Applications to petitions under the Indian Succession Act, Contempt of Court proceedings and other proceeding of an original naturess	Rs. 1,125/- per petition
6.	Civil Misc. Petitions, forma paupers, transfer petitions and other civil misc. Petitions of routine nature	Rs. 450/- per petition
7.	Consultation/ conference fee	Rs. 450/- per conference (subject to maximum of four conferences in a case)
8.	Appearance before the High Court in application under Section 34 & 37 of the Arbitration and conciliation Act, 1996 Appearance before Arbitrator/ Umpires etc.	Rs. 2,250/- per effective hearing Rs. 450/- per non-effective hearing (subject to a maximum of five hearing in a case). Rs. 450/- per non effective hearing (subject to a maximum of five hearing in a case)

Further all other terms and condition applicable to above panel Counsels in the pre-revised OM No. 24(2)/99-judl, OM No. 26(1)99-judl., OM No. 25(3)99-Judl. and OM No. No. 26(2)/99-Judl. all dated 24.09.99 read with OM No. 26(1)/2005-Judl. dated 31.01.2008 issued by Ministry of Law and Justice shall continue to remain applicable.

D. DISTRICT AND SUBORDINATE COURTS:

The fee structure applicable for counsels empanelled by the Central Board/EPFO, Central Govt Standing Counsel (CGSC), Sr. CGSC, Standing Govt Counsel, Addl. Standing Govt. Counsel for District and Subordinate Courts and District Consumer Forums for such Courts and Forums, will be as under.-

Table-D

Sl. No.	Item of work	Revised fee
1.	Fee for effective hearing	Rs. 1,800 per day
2.	Fee for non-effective hearing	Rs. Six hundred per day (limited to five such hearings in a case)
3	Fee for drafting Written Statement , Grounds of Appeal etc.	Rs. 1,500 per pleading
4.	Fee for drafting other pleadings of misc. nature	Rs. Six hundred per pleading
5.	Fee per conference	Rs. 900 (limited to five such conferences in a case / group of identical cases)

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Sl. No.	Item of work	Revised fee
6.	Daily fee for out of Headquarters	Rs. 2,700 per day
7.	Conveyance charges for local journey outside Headquarters	Rs. 900 [lump sum]
8.	Expenses for stay in hotels	Rs. 1,800 per day
9.	Clerkage	@ Ten percent of total fee excluding miscellaneous and out of pocket expenses (maximum Rs. 5,250 in a case)
10.	Fee for identical Cases	Full fee in the first case and Rs. 750 per suit for connected cases (max. 3 cases)
11.	Miscellaneous and out of pocket expenses	As per actuals to the satisfaction of the OI C of RO.

All other terms and conditions applicable to above mentioned Counsels vide Department of Legal Affairs' OM No. 27/(11)/1999-Judl dated 24.09.1999 read with OM No. 27(25)/2011-Judl. dated 01.09.2011 shall continue to remain applicable.

E. ARBITRATION CASES:

The Fee structure applicable to Senior/Junior Arbitration Panel Counsel:-

Table-E

Sl. No.	Details of work	Revised Fee
1.	Fee for effective hearing	
	Senior Counsel	Rs. 2,250/- per appearance
	Junior Counsel	Rs. 1,500/- per appearance
2.	Fee for non-effective hearings	
	Senior Counsel	Rs. 450/- per appearance
	Junior Counsel	Rs. 300/- per appearance (maximum four such hearings)
3.	For drafting pleadings	
	Senior Counsel	Rs. 1,500/- per pleading
	Junior Counsel	Rs. 750/- per pleading
4.	Conference Fee	
	Senior Counsel	Rs. 450/- per conference
	Junior Counsel	Rs. 300/- per conference
5.	Daily fee for out of Headquarter	
	Senior Counsel	Rs. 3,000/- per day
	Junior Counsel	Rs. 2,250/- per day



All other terms and conditions applicable to OM Ho. 30(3)/99-Judl. dated 24.09.99 read with OM No. 25(11)/2005/Judl. dated 31.01.2008, shall continue to remain applicable.

GENERAL INSTRUCTIONS:

- i. The revised fee structure is broadly based on the circular bearing No. 26(1)2014/Judl dated 1.10.2015 read in conjunction with the circulars dated 24.9.1999, 1.10.2011 and various clarifications issued by the Department of Legal Affairs, Ministry of Law and Justice, Govt. of India.
- ii. Rates of fee prescribed under Table-C shall also be applicable for items of legal work done by an advocate in connection with a litigation in any other Tribunal(s) or Adjudicatory Forum.
- iii. Fee other than prescribed in this Chapter shall not be allowed unless specifically authorized by competent authority in view of special complexity of the case involving high financial implication and/or important policy matter.
- iv. The Payment to CGSCs/Counsel appearing on behalf of Union of India should not normally be paid by EPFO unless specifically directed by the Central Government.
- v. A claim for fee for attending court hearing will be entertained only if the appearance of advocate(s) engaged (conducting or arguing counsel) in a case is recorded in the Daily Order Sheet related to the hearing. In any case where an advocate claims to have participated in a hearing but his name does not find mention in the related Daily Order Sheet, the onus to prove the participation in the said hearing shall lie with the advocate concerned.
- vi. Claim for drafting/ filing/ settling of pleadings/ petition/ OA/ counter affidavit/ rejoinder/ caveat/ misc. application etc.. will be entertained only when a copy of the filed document is enclosed with the bill.
- vii. Claim for typing and photocopying charges will be restricted to the number of pages in the Petition/Counter Affidavit/Rejoinder/ Misc. Application/ etc.
- viii. A bill in respect of an individual legal case may be presented by an advocate for each item of work (as listed in the table above) as soon as it becomes due without waiting for that legal case to get over. The EPFO office concerned shall process the bills immediately and the payment shall be released within a month of the date of the receipt of bill complete in all respect.
- ix. The phrase "Central Board " or "EPFO" includes its offices and officers and should be construed according to the demand of the context
- x. Identical cases have been explained in OM dated 24.09.1999 of Ministry of Law and Justice, GOI, as follows:
"Two or more cases where substantially identical questions of law or facts are involved and where the main difference is in the names, addresses of the parties concerned, amount of money involved, etc, where the common or identical judgments are delivered irrespective of the fact whether all the cases are heard together or not."
- xi. **Effective Hearing Means:**
A hearing wherein either one or both parties involved in case are heard by the Court is an effective hearing. However, in a hearing if merely a case is mentioned and adjourned or only directions are given or only judgment is delivered by the Court, it would not constitute an effective hearing but will be termed as non-effective hearing.
- xii. In a civil case, a date, on which plaint/ petitioner/ written statements is filed or the issues are framed or a hearing in which witnesses are examined by way of filing of affidavit or otherwise or cross-examination take place, or an important miscellaneous application is argued, or final arguments take place, -is an instance of effective hearing.
- xiii. In a criminal case, a date, where charge or notice, as the case may be, is framed against the accused or hearing wherein recording of testimonies of witness including cross examination or recording of statement of the accused under section 281 of 313 Cr. P.C take place or defense witnesses are examined or argument on any important

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- miscellaneous application is heard, - is an instance of effective hearing.
- xiv. An empanelled advocate or other legal practitioner to whom a case has been assigned, is bound to attend all hearings in that case whether effective or non-effective.
- xv. Travel out of Headquarters: If a counsel is required to go out of the Headquarters in connection with assigned legal work like for conference with a Senior counsel, appearance in a court outside the Headquarters of his panel etc., he will be entitled to reimbursement of expenses incurred for travel, lodging and boarding at par with a Group A Officer in Junior Administrative Grade (JAG). Any special fee shall be approved by the Competent Authority.
- xvi. The competent authority to approve the legal fee bill shall be as per the Schedule of Financial and Administrative Powers, issued by the Finance Division of EPFO, as amended from time to time. It has also been clarified by Finance Division of Head Office vide its note dated 01.09.2016 that the word used "in each case" refers to recurring expenditure. Hence, the power delegated under item No. 22 may be used for the sanction of the bill amount by the field offices, accordingly.
- xvii. If in a particular case, it is ascertained by the OIC that the best interest of the Social Security or the Central Board/EPFO can be served by engaging an advocate outside the panel(other than senior advocate), the reason for engaging such advocate may be recorded by the officer in charge of the RO concerned and conveyed (through proper channel or the ACC of the Zone concerned, for his/her approval. If an advocate outside the panel is engaged, the fee structure prescribed in the instant circular shall apply to the work done by such advocates as well.
- xviii. An advocate can be engaged from outside the panel of the Central Board/EPFO, against a fee which is higher than that prescribed in the instant circular, if his/her engagement for litigation is considered desirable to protect or promote the best interest of social security or the Central Board/EPFO. Such an advocate can be engaged only after recording the reason for his/her engagement and after securing the permission of the Competent Authority.
- xix. Any issue, on which this circular is silent or lacks clarity, shall be examined by the ACC (Zone) concerned and in case the ACC (Zone) feels the need for any clarification, the same may be referred to Head Office clearly specifying the point on which clarity is sought.
- xx. The revised rates shall be applicable from the date of issue of communication in that regard.

SENIOR ADVOCATES

Engagement of Senior Advocate shall not be a routine. However, in some matters such as involving prime importance, have huge financial implications, involves challenge to Constitutional or legal validity of Statutory provisions of the Act/Schemes or Gazette Notifications or policy decisions of EPFO or where substantial question of law is involved or any adverse view is being taken in contempt cases against Head of the Organisation or Central Government Officers etc. the services of Senior Advocates become necessary.

'Senior advocate' here means any advocate so designated under subsection (2) of Section 16 of the Advocates Act, 1961 (25 of 1961), and all such advocates whose names were borne on the roll of the senior advocates of the Court immediately before the commencement of Chapter III of the Advocates Act, 1961. Therefor such advocates may be required to be engaged from outside the panel of the Central Board/EPFO, against a fee which is higher than that prescribed in this framework.

If the engagement of a Senior Advocate for a litigation is considered desirable to protect or promote the best interest of social security or the Central Board/ EPFO such an advocate can be engaged after recording the reason and justification and after obtaining the permission of the Central Provident Fund Commissioner or such officer as may be authorized by Central P F Commissioner.



Before the matter is placed before the Central P F Commissioner following may be ensured

- The conducting panel advocate appearing in the matter shall suggest the names of 3-4 Senior Advocates of high repute to defend the matter.
- The willingness of Senior Advocate and Schedule of fess to be charged may be obtained in writing.
- The name of Advocate General/ Solicitor General of India/ASGI may also be suggested and efforts should be to engage them on the fee schedule published by the Ministry of Law and Justice.
- The important case orders/judgement of these proposed Senior advocates/ Advocate General/ Solicitor General of India/ASGI may also form part of the proposal.
- Zonal ACCs shall examine the matter and send the proposal with reasons/ justification and recommendations in the matter. The justification should also contain as to why the conducting advocate will not be able to contest alone in the matter.
- The matter shall be examined by legal division Head Office and shall placed before the Central Provident Fund Commissioner.

