

**REQUEST FOR PROPOSALS (RFP)**  
**for**  
**Empanelment of Law Firms**  
**for**  
**“Legal Opinion and associated services”:**

**Date of issue - 16.09.2022**

**Deadline for submission of Proposal -21.10.2022**

**Proposal should be super scribed as**

**“Confidential - Proposal for Empanelment of Law Firms  
for Legal Opinion and associated services”**

**To be submitted in a sealed envelope and addressed to:**

**Additional Central PF Commissioner (Legal),  
Employees’ Provident Fund Organization (EPFO),  
Bhavishya Nidhi Bhavan,  
14, Bhikaiji Cama Place,  
New Delhi – 110066**

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## 1. Disclaimer

1.1. This document is being published in connection with the proposed empanelment of law firm who in turn will assist EPFO in providing Legal Opinion and associated services as defined in scope of work.

1.2. This document does not constitute nor should it be interpreted as an offer or invitation for the empanelment of law firm described herein.

1.3. This document is meant to provide information only and upon the express understanding that recipients will use it only for the purpose of furnishing a Proposal for being empanelled as a law firm for the purpose of “Legal Opinion and associated services”. It does not purport to be all inclusive or contain all the information regarding the empanelment of law firm or be the basis of any contract. No representation or warranty, expressed or implied, will be made as to the reliability, accuracy or the completeness of any of the information contained herein.

1.4. While this document has been prepared in good faith, neither the EPFO, nor any of its officers make any representation or warranty or shall have any responsibility or liability whatsoever in respect of any statements or omissions here from. Any liability is accordingly and expressly disclaimed by the EPFO and any of its officers, even if any loss or damage is caused by any act or omission on the part of the EPFO or any of its officers, or employee or law firm, whether negligent or otherwise.

1.5. By acceptance of this document, the recipient agrees that any information herewith will be superseded by any subsequent written information on the same subject made available to the recipient by or on behalf of the EPFO. EPFO or any of its respective officers undertake no obligation, among others, to provide the recipient with access to any additional information or to update this document or to correct any inaccuracies therein which may become apparent.

1.6. EPFO reserves the right, at any time and without advance notice, to change the procedure for the selection of law firm or any part of the interest or terminate negotiations or the due diligence process prior to the signing of any binding agreement.

1.7. The EPFO reserves the right to reject any or all proposals or cancel/withdraw the Request for Proposal (RFP) without assigning any reason whatsoever and in such case no intending Applicant shall have any claim arising out of such action. At any time prior to the deadline for submission of proposals, EPFO may modify for any reason deemed necessary, the RFP by amendment notified on EPFO's website and such amendment shall be binding on intending Applicants.

1.8. The recipients of the RFP should carry out an independent assessment and analysis of the requirements for appointment as Law firm and of the information, facts and observations contained herein.

1.9. This document has not been filed, registered or approved in any jurisdiction. Recipients of this document should inform themselves of any applicable legal requirements and conform to the same.

1.10. This document constitutes no form of commitment on the part of the EPFO. Furthermore, this document confers neither the right nor an expectation on any party to participate in the proposed law firm's empanelment process.

1.11. This document confers neither a right nor an expectation on any party to offer for empanelment as law firm.

1.12. EPFO reserves the right to, not consider for the purpose of qualification, a proposal which is found to be incomplete in content and/or attachments and/or authentication etc. or which is received after the specified date and time, or not delivered as per the specified procedure.

1.13. When any proposal is submitted pursuant to this RFP, it shall be presumed by EPFO that the Applicant has fully ascertained and ensured about its eligibility to act as law firm, in the event of it being selected ultimately to act as law firm, under the respective governing laws and regulatory regimen, and that there is no statutory or regulatory prohibition or impediment to act as law firm to assist EPFO and it has the necessary approvals and permission to act as law firm and further suffers no disability in law or otherwise to act as such.

1.14. Without prejudice to any other rights or remedies available to the EPFO, law firm may be disqualified and their proposals rejected for any reason whatsoever including those listed below:

1.14.1. Material misrepresentation by the Applicant in the Proposal.

1.14.2. Failure by the Applicant to provide the information required to be provided in the proposal pursuant to relevant sections of this document.

1.14.3. If information becomes known, after the Applicant has been appointed, which would have entitled EPFO to reject or disqualify the relevant law firm, EPFO reserves the right to reject the applicant at the time, or at any time after, such information becomes known to EPFO and no compensation, whatsoever, shall be payable to the law firm so rejected.

1.14.4. Any conviction by a Court of Law or indictment/adverse order by a regulatory authority that casts a doubt on the ability of the applicant to perform duties and responsibility of law firm as per this RFP.

1.15. All proposals and accompanying documents received within the stipulated time will become the property of EPFO and will not be returned. The hardcopy version will be considered as the official proposal.

1.16. Reference to any laws/regulations/guidelines in this RFP document is applicable to laws/regulations/guidelines in India.

## 2. Introduction

2.1 Article 41 of the Constitution of India under "Directive Principles of State Policy" provides that the State shall, within the limits of its economic capacity and development, make effective provision for securing the right to work, to education and to public assistance in cases of unemployment, old age, sickness and disablement, and in other cases of undeserved want.

2.2 The Employees' Provident Fund Organization (EPFO), India is a statutory body under the aegis of the Ministry of Labour and Employment (MoL&E), Government of India. It is one of the largest provident fund institutions in the world in terms of members, corpus and volume of financial transactions. The main objective of the organization is to provide old-age social security to the subscribers.

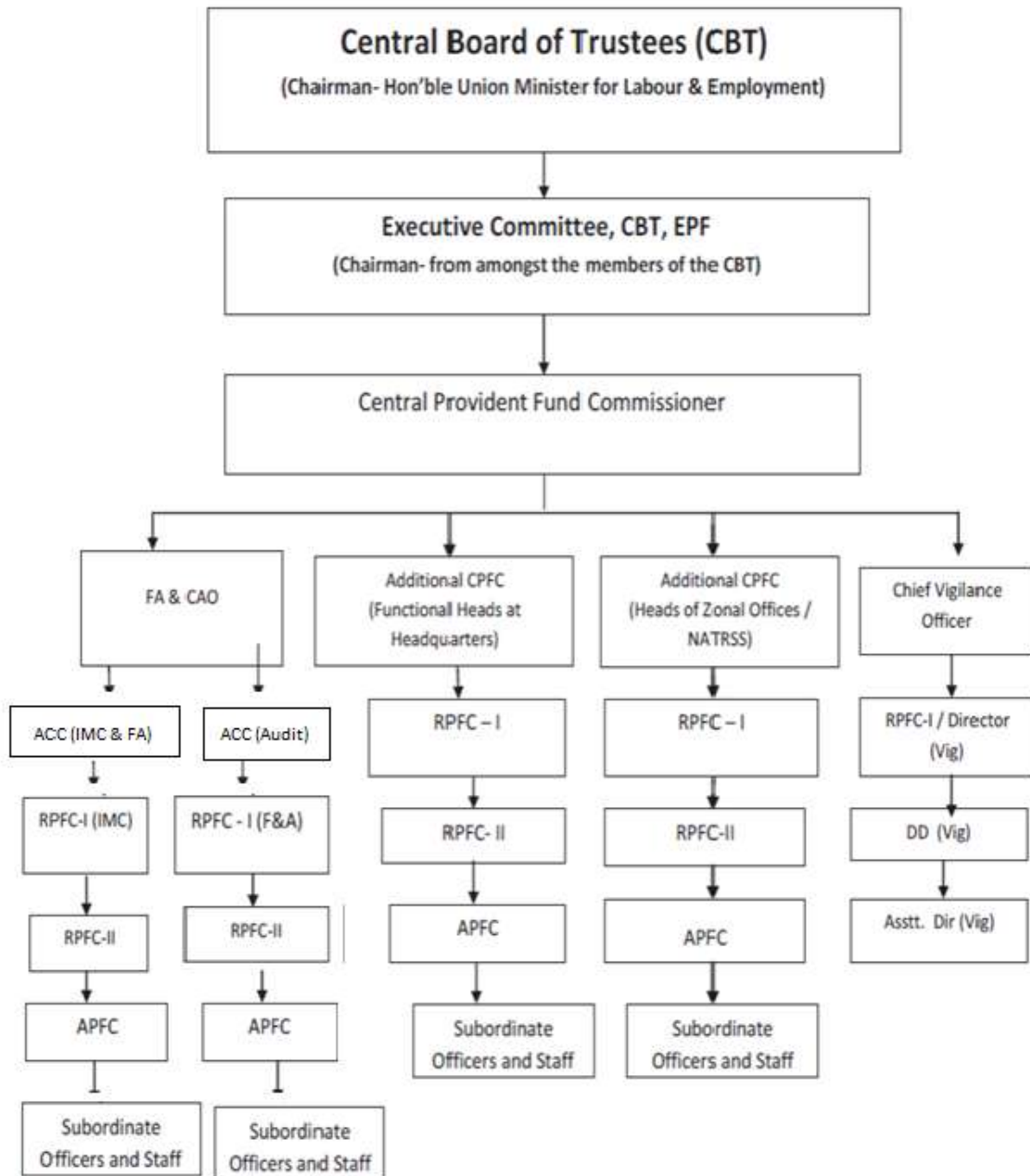
2.3 The Employees' Provident Funds & Miscellaneous Provisions Act, 1952 was enacted by Parliament and came into force with effect from 14th March, 1952. Presently, the following three schemes are in operation under the Act:

2.3.1 Employees' Provident Fund Scheme, 1952 (EPF)

2.3.2 Employees' Deposit Linked Insurance Scheme, 1976 (EDLI)

2.3.3 Employees' Pension Scheme, 1995 (EPS) (replacing the Employees' Family Pension Scheme, 1971)

The organization structure of the EPFO is as follows and is only a sketch:



The organization functions under the overall superintendence of the Central Board of Trustees (CBT), a tripartite body, headed by the Honorable Union Minister for Labour and Employment as Chairman.

### **3. Terms of Reference**

3.1 This RFP document has been prepared solely to solicit proposals for empanelment of one or more law firms to act as legal consultant for providing legal opinion and associated services as defined in scope of work to EPFO. The provision of the services is subject to observance of selection process and appropriate documentation being agreed between the bank and any successful respondent as identified by the bank after completion of process.

3.2 The law firm shall bear all costs associated with preparation and submission of proposal including but not limited to additional information required by EPFO, attendance of meeting, etc and EPFO in no case be held responsible or liable for these costs, regardless of the conduct or outcome of tendering process.

3.3 Any proposal received by EPFO after the deadline for submission of proposal prescribed by EPFO will be summarily rejected and returned unopened to the consultancy firm. EPFO shall not be responsible for any delay or non receipt /non delivery of documents

3.4 Further information is available on website of EPFO i.e. [www.epfindia.gov.in](http://www.epfindia.gov.in) / [www.epfindia.com](http://www.epfindia.com)

### **4. Duties & Responsibilities of the Law Firm**

#### **Scope of Work**

The RFP is intended to empanel Law Firm for EPFO Headquarters, New Delhi. This empanelment would be in addition to and not in substitution of the existing panel of Advocates. Empanelled Law Firm may be assigned the works, inter alia, mentioned as under from time to time by EPFO. The list below is indicative and not exhaustive.

1. Rendering Legal Opinion on matters related to interpretation of various statutes related to EPFO, Consumer cases, Corporate and commercial matters, Labour Law matters, NCLT matters, property related cases, commercial agreements, MoUs, administrative matters, financial matters, service matters and Taxation matters etc.
2. Drafting of commercial agreements, MoUs, notices including vetting/drafting various types of legal documents like deed of conveyance, contracts etc.
3. Vetting of all amendments, rules and circulars issued by EPFO
4. Any other related matter as assigned by EPFO

## 5. RFP Process

### 5.1 Steps in RFP Process

5.1.1 Submission of Pre-Qualification, Technical and Financial bids by Applicants.

5.1.2 The Applicants may respond to the RFP by submitting the required Pre-Qualification, Technical and Financial bids to the EPFO as detailed in this document.

5.1.3 The authorized signatory under whose signature the bid documents are submitted should be duly authorized by the Managing Director/CEO/CMD or equally competent authority of the bidding firm.

5.1.4 The authorized/competent representative of the Applicants may be present at the time of opening of the Pre-Qualification, Technical and Financial bids.

5.1.5 The bids must be submitted in a sealed envelope consisting of two (2) copies of all the bid documents (i.e., two copies each of Pre-Qualification Bid, Technical Bid and Financial Bid).

5.1.6 The bids must be submitted in a sealed envelope consisting of three bids i.e. Pre-Qualification Bid, Technical Bid and Financial Bid.

5.1.7 Pre-Qualification, Technical and Financial bids should be submitted in separate sealed envelopes with each envelope super-scribed in **bold** as “Pre-Qualification bid”, “Technical bid” and “Financial bid” respectively.

5.1.8 The Applicant’s name and address shall be mentioned on all envelopes.

5.1.9 All the three above mentioned envelopes should be placed in a separate envelope, duly sealed and super-scribed as “**Confidential - Proposal for Appointment of Consultant**”, along with the Applicant’s name and address, and the name of the primary and secondary contact person with complete details must be provided on the sealed envelope.

5.1.10 There must be an index at the beginning of the proposal detailing the summary of all information contained in the proposal.

5.1.11 All pages of the proposal must be serially numbered. The currency of the proposal and payments shall be in Indian National Rupees only.

5.1.12 The proposals shall, only be received in physical form (clear legible and clean), either hand delivered or sent through speed post or courier. EPFO will not accept delivery of proposals by any other mode except those mentioned above. Proposals received in any other manner will be treated as invalid and rejected.



5.1.13 Only those proposals received before the deadline shall be considered. The applicant must ensure that the bids reach EPFO in time and no delay in post or otherwise will be acceptable.

5.1.14 EPFO at any point of time may not award any task and no payment shall be made for the same. The decision to go forward or cancel rests entirely with EPFO.

## 5.2 Completeness of bid documents

5.2.1 EPFO will evaluate the contents of the documents received to ascertain that all documents/information requirements are provided in the format and the manner specified.

5.2.2 EPFO may, where necessary, seek further clarifications from any/all applicants in respect of any information provided in the RFP.

5.2.3 The Applicant must furnish clarifications within the stipulated time frame failing which the RFP submitted by the Applicant concerned will be treated as incomplete and rejected.

## 5.3 Evaluation of Technical and Financial bids

5.3.1 All Applicants, who qualify on the Pre-Qualifications bid criteria as laid down in this RFP would only, be further evaluated on technical and financial bids.

5.3.2 The Technical bids of all the Applicants will be evaluated as per the criteria specified in this RFP as per the rating system.

5.3.3 Applicant eligible for technical bid evaluation will be required to give a write-up on Methodology to be followed for execution of assignment and approach for handling work. The applicants may be required to give a presentation on the same, if asked by EPFO. High quality of work and suggestions will be appreciated.

5.3.4 The final evaluation would be based on both technical and financial bids as explained in this RFP.

5.3.5 The proposals shall be valid for a period of Six (6) months from the date of opening of the Financial Bid.

## 5.4 Finalization of the Law Firm

5.4.1 The successful Consultant will be finalized based on the evaluation criteria and the decision of the EPFO shall be final and the same will be informed accordingly.

5.4.2 EPFO reserves the right to cancel the appointment process and may decide further course of action without assigning any reason thereof at any point of time.

## 5.5 Key Activities and Dates

The expected schedule of key activities for the purpose of this RFP is outlined below:

<b>S.No.</b>	<b>Key Activities</b>	<b>Due Date</b>
1.	Issue of Request For Proposal (RFP) on website of EPFO	16.09.2022
2.	Last date for submission of queries via e-mail only (rpfcl.legal@epfindia.gov.in) on RFP	23.09.2022
3.	Pre-bid Conference	27.09.2022
4.	Issuance of revised RFP (If required) on website of EPFO	30.09.2022
5.	Last date for receipt of bid (Proposal due date)	21.10.2022
6.	Opening of Pre-Qualification bids	27.10.2022
7.	Opening of Technical bids for eligible Applicants	31.10.2022
8.	Presentation on technical bid by eligible bidders, if required	02.11.2022
9.	Opening of Financial bids for the eligible Applicants	04.11.2022
10.	Issuance of letters to selected Law Firms	07.11.2022
11.	Selected law firms to be ready in all respects	14.11.2022.

<b>Sr.No.</b>	<b>Key Activities</b>	<b>Due Date*</b>
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*\*The EPFO reserves the right to change any date/time mentioned in the schedule above.*

#### **5.6 Pre-Bid Conference**

The date, time and venue of the Pre-Bid Conference shall be:

Date: 27.09.2022

Venue: 3<sup>rd</sup> Floor, Conference Room, Bhavishyanidhi Bhawan, 14-Bhikaji Cama Place, New Delhi-110 066

## 6. Bid Evaluation Criteria

6.1 The Pre-Qualification criteria for selection of Consultant is as follows:

### Eligibility Criteria for Empanelment of Legal Consultant

This invitation to respond to the RFP is open only to reputed and well established registered companies/partnerships firms/LLPs having a minimum 50 partners/Associates. In addition to this the firm should satisfy following criteria.

1. Firm/Partners should have at least 10 Years of experience in Supreme Court/High Court as on date to responding to RFP.
2. Firm should have the capacity to work in diversified fields as defined in Scope of Work and should have ample experience in same.
3. Firm should be working for or be at least on panel of one Government Department/PSU/Statutory Body/ Autonomous Body etc on date to responding to RFP.
4. Annual Turnover of the Law Firm should not be less than 2 Crores. Copy of Annual Financial Statement along with copy of audit report or IT return to be attached.
5. Firm should not have been black listed/debarred by any institution of the Central or State Government/ Banks/PSUs or any bar council in preceding 5 Years.

6.2 Technical evaluation parameters

The following tables outline the broad parameters based on which evaluation of technical proposals of the applicants shall be carried out by the EPFO:

### Selection Procedure

#### Technical Bid.

Evaluation will be based on following criteria

S No	Criteria	Marks
1)	Relevant Experience of the Law Firm/Partners	(i) 10 Years to 15 Years-10 Marks (ii) More than 15 Years-20 Marks
2)	Empanelled on panel of or working with Government/PSU/Statutory Bodies/Autonomous Bodies	i. Up to 5 Organizations- 10 Marks ii. 5 to 10 Organizations-15 Marks iii. More than 10 Organizations-20 Marks
3)	Annual Turnover of The Law Firm	i. 2 to 5 Crores-5 Marks ii. 5 Crores to 10 Crores- 10 Marks

		iii. Greater than 10 Crores- 20 Marks
4)	Number of Partners and Associates	I. 50 to 100 – 5 Marks II. 100 to 200- 10 Marks III. Greater than 200- 15 Marks
5)	Reliability & Reputation (measured by whether the firm has successfully represented other Ministries/Departments of the GoI in other types of Legal matters, general perception ,client base of the firm and ranking of the law firm in country)	Marks between 5 to 15
6)	Relevant assignments undertaken and completed for various organizations/ PSU/clients in last financial year	i. Less than 20 assignments- 5 Marks. ii. More than 20 assignments-10 Marks

The respondents with score of more than 50 shall only be considered for empanelment. If there are no such respondents who meet the minimum score, EPFO may, at its sole discretion, reduce the minimum score as it may deem fit.

### 6.3 Financial Bid –

Financial bids shall have a score of 100 points.

#### Schedule of Fee

S No	Service	Charges
1)	Legal Opinion	
2)	Drafting/Vetting of reply/petition	
3)	Drafting/Vetting of Commercial Agreements, MoU's, Contracts etc	
4)	Vetting of circulars and drafting and vetting of amendments proposed in Act.	
5)	Conference Fee (within Delhi)	

## **7. Format of Pre-Qualification, Technical and Financial bid**

7.1 The proposal submitted by the Applicant shall comprise the following documents:

7.1.1 Pre-qualification bid, Technical Bid, Financial Bid with all the information, in the formats enclosed with the document, duly filled in along with all attachments/schedules duly completed and with a covering letter, duly, signed by the authorized Signatory of the Applicant.

7.1.2 Any deviations from the requirements of the RFP must be included as a separate statement, as per the format enclosed with this document.

7.1.3 There must be an index at the beginning of the proposal detailing the summary of all information contained in the proposal. All pages in the proposal must be serially numbered.

7.2 Forms for Pre-qualification bid, Technical Bid and Financial Bid may be applied as per proforma Form-1, Form-2 and Form-3 respectively (enclosed)

**Request for Proposal (RFP) for Empanelment of Law Firm for Legal Opinion and associated services**

**Form-1**

**Pre-qualification bid**

Name of the Firm (full name of the firm):

Address with telephone No., Fax No., E-Mail ID, etc.

1 The bidder should be a company/partnership/LLP registered in India. Enclose copy of Registration Certificate.

Sr. No	Particulars	Supporting document submitted	Remarks if any	Annexure No.
1	Registration No. And Date of Registration			

2 The bidder should have minimum 10 years of experience in Supreme Court/High Court enclose relevant documents evidencing the period of operation.

Sr. No.	Supporting Documents submitted	Remarks if any	Annexure No.

3 The Bidder should be at least on panel of or working with one Government Department /PSU/Statutory Body/ Autonomous Body. Enclose relevant documents.

Sr. No.	Supporting Documents submitted	Remarks if any	Annexure No.

4 Annual Turnover of the bidder should not be less than 2 Crores. Copy of Annual Financial Statement along with copy of audit report or IT return may be attached.

Sr. No.	Supporting Documents submitted	Remarks if any	Annexure No.

5 Firm should have minimum 50 partners and associates on roll. Enclose relevant documents.

Sr. No.	Supporting Documents submitted	Remarks if any	Annexure No.

Sr. No.	Name	Designation	Work area	Qualification

6 Firm should not be blacklisted/debarred by any institution of the central or state government, judiciary, PSU's or any bar council in preceding 5 Years. An undertaking to this effect to be submitted.

7 The bidder should have valid Income tax Permanent Account Number (PAN), GST and other statutory registrations. – enclose copy.

Sr. No.	Supporting Documents submitted	Remarks if any	Annexure No.

8 The bidding firm and its CEO/Managing Director/Chairman or equivalent competent authority should not have been convicted by a court of law or indictment / adverse order passed against the firm / CEO/Managing Director/Chairman or equivalent.– Undertaking from the CEO/Managing Director or equivalent competent authority of the Consultant firm certifying the same.

**Name**

**Signature of authorized signatory with Stamp**

**Request for Proposal (RFP) for Empanelment of Law Firm for Legal Opinion  
and associated services**

**Form-2**

**Technical Bid.**

Name of the Firm (full name of the firm):

Address with telephone No., Fax No., E-Mail ID, etc.

<b>S No</b>	<b>Criteria</b>	<b>Details</b>
1)	Relevant Experience of the Law Firm/Partners (in years)	
2)	Empanelled on panel of or working with Government/PSU/Statutory Bodies/Autonomous Bodies (details may be enclosed)	
3)	Annual Turnover of The Law Firm (Attach supporting document)	
4)	Number of Partners and Associates (Attach supporting document)	
5)	Reliability & Reputation (measured by whether the firm has successfully represented other Ministries/Departments of the GoI in other types of Legal matters, general perception ,client base of the firm and ranking of the law firm in country) (Attach supporting document)	
6)	Relevant assignments undertaken and completed for various organizations/ PSU/clients in last financial year (Attach supporting document)	

The respondents with score of more than 50 shall only be considered for empanelment. If there are no such respondents who meet the minimum score, EPFO may, at its sole discretion, reduce the minimum score as it may deem fit.

**Name**

**Signature of authorized signatory with Stamp**



**Request for Proposal (RFP) for Empanelment of Law Firm for Legal Opinion  
and associated services**

**Form-3**

**Financial Bid**

<b>S No</b>	<b>Service</b>	<b>Charges</b>
1)	Legal Opinion	
2)	Drafting/Vetting of reply/petition	
3)	Drafting/Vetting of Commercial Agreements, MoU's, Contracts etc	
4)	Vetting of circulars and drafting and vetting of amendments proposed in Act.	
5)	Conference Fee (within Delhi)	

**Name**

**Signature of authorized signatory with Stamp**

**EMPLOYEES' PROVIDENT FUND ORGANIZATION**  
**MINISTRY OF LABOUR & EMPLOYMENT**  
**GOVERNMENT OF INDIA**

**EXPRESSION OF INTEREST (EOI)**  
**FOR EMPANELMENT OF LEGAL CONSULTING FIRMS**

Employees' Provident Fund Organisation (EPFO), a statutory body of the Ministry of Labour & Employment, Government of India proposes to empanel Law Firms initially for one year extendable and for a total period of upto 3 years. Expression(s) of interest (EOI) are invited from the Law Firms having expertise not only in Labour Laws but also in Corporate and commercial matters, Banking law matters, Dispute resolution, property related issues, commercial agreements, MoU's, Service matters and taxation matters etc may be made by EPFO for consultancy purposes.

2. The Employees' Provident Fund Organisation (EPFO) is entrusted with the responsibility of implementation and regulation of Employees' Provident Funds & Miscellaneous Provisions Act, 1952 [Act] and schemes (Employees' PF Scheme 1952, Employees' Pension Scheme 1995, Employees' Deposit Linked Insurance Scheme 1976) framed there under. Court Cases are generated in the process of discharge of statutory duties by the organisation.

3. The Law Firm may be assigned the works, inter alia, mentioned as under from time to time by EPFO. The list below is indicative and not exhaustive.

- i. Rendering Legal Opinion on matters related to interpretation of various statutes related to EPFO, Consumer cases, Corporate and commercial matters, Labour Law matters, NCLT matters, property related cases, commercial agreements, MoUs, administrative matters, financial matters, service matters and Taxation matters etc.
- ii. Drafting of commercial agreements, MoUs, notices including vetting/drafting various types of legal documents like deed of conveyance, contracts etc.
- iii. Vetting of all amendments, rules and circulars issued by EPFO
- iv. Any other related matter as assigned by EPFO

**4. Eligibility Criteria for Empanelment of Legal Consultant**

This invitation to respond to the RFP is open only to reputed and well established registered companies/partnerships firms/LLPs having a minimum 50 partners/Associates. In addition to this the firm should satisfy following criteria.

1. Firm/Partners should have at least 10 Years of experience in Supreme Court/High Court as on date to responding to RFP.
2. Firm should have the capacity to work in diversified fields as defined in Scope of Work and should have ample experience in same.
3. Firm should be working for or be at least on panel of one Government Department/PSU/Statutory Body/ Autonomous Body etc on date to responding to RFP.
4. Annual Turnover of the Law Firm should not be less than 2 Crores. Copy of Annual Financial Statement along with copy of audit report or IT return to be attached.
5. Firm should not have been black listed/debarred by any institution of the Central or State Government/ Banks/PSUs or any bar council in preceding 5 Years.

#### **5. Tenure of Empanelment.**

The initial empanelment will be for one year or until further orders whichever is earlier. The same may be extended for one year at a time for a total period not exceeding 3 years.

6. The proposals so received from the legal Firms shall be evaluated on the following criteria. Firms that score a minimum of 50 marks out of 100 marks of the following criteria shall only be considered for empanelment and any subsequent action towards their engagement:

7. Eligible Law Firms should apply in the format prescribed in a sealed envelope with all supporting documents. The proposal should be super scribed as “**Confidential - Proposal for Empanelment of Law Firms for Legal Opinion and associated services**” and be addressed to;

**Additional Central PF Commissioner (Legal),  
Employees' Provident Fund Organization (EPFO),  
Bhavishya Nidhi Bhavan,  
14, Bhikaiji Cama Place,  
New Delhi – 110066**

8. The Request for Proposal (RFP) consisting of Terms of Reference, Duties & Responsibilities of the Law Firms, RFP Process, Bid Evaluation Criteria, Format of Pre-Qualification, Technical and Financial bid , Formats for Covering Letter and Clarifications, Deviations and Undertaking, Terms and Conditions for, Remuneration & Tenure is available on **Central Public Procurement Portal (CPPP)** at **www.eprocure.gov.in**, on GeM and the same is also available on EPFO website **www.epfindia.gov.in**

9. 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. The list of selected law firms will be made available on EPFO website **www.epfindia.gov.in**. Letters to the law firms confirming their empanelment will be issued by EPFO separately.

  
(RM Verma)

**Addl. Central P.F. Commissioner (Legal)**