

TELE 0836-2970768, 2226503
E-mail: acc.hubligoa@epfindia.gov.in



कर्मचारी भविष्य निधि संगठन

Employees' Provident Fund Organisation

(श्रम एवं रोजगार मंत्रालय, भारत सरकार) / (Ministry of Labour & Employment, Govt. of India)

अपर केंद्रीय भविष्य निधि आयुक्त का कार्यालय

Office of the Additional Central Provident Fund Commissioner

कर्नाटक /एवं गोवा (बेंगलूरु के अलावा) Karnataka (Other than Bengaluru) & Goa

भविष्य निधि भवन, 10 न्यू ब्लॉक नं. , आयकर कार्यालय के पीछे नवनगर, हुबल्ली- 580025

Bhavishya Nidhi Bhawan, New Block No.10, Behind Income Tax Office, Navanagar, Hubballi - 580025



सं No. कर्ना KN/हुबली HBL/आंका ZO/2024-25/

दिनांक Date: 29.11.2024

NOTICE INVITING APPLICATIONS FOR EMPANELMENT OF ADVOCATES

Employees' Provident Fund Organization (EPFO), on behalf of the Central Board, Employees' Provident Fund, a statutory body under the ministry of Labour & Employment, Government of India, proposes to engage Panel Counsels (s) to represent the Central Board, EPF before various courts (viz. High Court of Bombay at Goa, State Commission and DCDRF & other lower courts in the State of Goa (under the jurisdiction of Hubballi Zone) for a period of 03 years from the date of issue of order.

The law firms/practicing Advocates who are registered with Bar Council of India/State Bar Council are eligible for empanelment. The Qualification, Experience, Schedule of professional fees, other terms and conditions and the application format in which the application has to be made have been prescribed.

The Advocates/Law Firms who are willing to apply for Panel Advocate of EPFO, for the state of Goa under Hubballi Zone shall send the application duly filled in "Annexure A". The signed original application enclosed along with self-attested document for empanelment shall be sent to the below address by all the applicants;

Regional Provident Fund Commissioner -I

Employees' Provident Fund Organization, Bhavishya Nidhi Bhawan

24, Patto Plaza, Panjim, Goa - 403001

E-mail: ro.goa@epfindia.gov.in

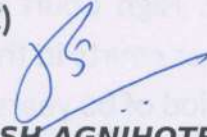
I/348863/2024

The existing panel shall cease to be on the panel of EPFO after new panel is finalized against this notice. Therefore, they may also apply fresh in response to the notice in "Annexure B".

The copy of the application can also be sent on the above e-mail id in the subject "Application for empanelment of Advocate - Goa State - Hubballi Zone". The last date of receiving application in the prescribed format along with supporting documents is **03.01.2025, 6.00 PM.**

Submitting application for empanelment at EPFO does not confer any right/assurance whatsoever, to an applicant that he/she will be empaneled on the panel of EPFO. Communication to Advocates confirming their empanelment will be issued separately by EPFO, Zonal Office, Hubballi/EPFO, Regional Office, Goa.

(Issues with the approval of Addl. CPFC)



(MANEESH AGNIHOTRI)
REGIONAL PF COMMISSIONER - I,
ZONAL OFFICE, HUBBALLI.

TELE: 0836-2970768, 2226503
E-mail: acc.hubligoa@epfindia.gov.in



कर्मचारी भविष्य निधि संगठन
Employees' Provident Fund Organisation
(श्रम एवं रोजगार मंत्रालय, भारत सरकार)/ (Ministry of Labour & Employment, Govt. of India)
अपर केंद्रीय भविष्य निधि आयुक्त का कार्यालय
Office of the Additional Central Provident Fund Commissioner
कर्नाटक /एवं गोवा (बेंगलुरु के अलावा) Karnataka (Other than Bengaluru) & Goa
भविष्य निधि भवन, 10 न्यू ब्लॉक नं., आयकर कार्यालय के पीछे नवनगर, हुबल्लि- 580025
Bhavishya Nidhi Bhavan, New Block No.10, Behind Income Tax Office, Navanagar, Hubballi - 580025



GUIDELINES FOR EMPANELMENT OF ADVOCATES

Following guidelines are designed to provide and regulate the manner and procedure for empaneling the Advocates to represent and assist EPFO before various courts and for regulating the referrals of the cases and payment of fee/remuneration. These guidelines shall supersede all existing instructions in this regard, if any and is subject to change without assigning any reason.

Before filling the application form, the candidates are advised to carefully read and follow the eligibility criteria, instructions and terms & conditions for empanelment of Advocates in EPFO mentioned here in below;

1. Eligibility of Empanelment:

- i. The law firms can also apply for empanelment and assign the advocates to deal with cases of the department. The firm shall ensure that there is no conflict of interest in matters contesting for EPFO.
- ii. The Advocate should have a bachelor's degree in law from a recognized university.
- iii. The Advocate should be enrolled/registered as an advocate with a Bar Council.
- iv. The Advocates are required to have the minimum professional/Court practice experience of 7 years for High Courts and Other Courts in the State.
- v. However, the Central Provident Fund Commissioner may relax the experience or prescribe any other additional qualification or condition as deem fit.

2. Tenure of Empanelment:

The initial empanelment will be for the period of three (3) years. Performance of empaneled advocates shall be reviewed at regular interval for continuance in the panel of Advocate. For any reason with a panel is reconstituted 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.

3. 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 empaneled.

4. General Procedure for Empanelment:

- i. The applicant advocate must apply on the form/format as may be prescribed by EPFO only. 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 empaneled.
- 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 the EPFO regarding short listing and selection of the candidates shall be final.
- v. Canvassing in any form shall be treated as a 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 interview.
- viii. The list of selected advocates will be made available in the public domain by EPFO.

5. Documents to be submitted by the Advocate:

The Advocate will be required to furnish following documents along with the application;

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

6. Duties of the Empaneled Advocates:

- i. The Advocate shall not advise any party or accept any case against the EPFO in which he/she has appeared or is likely to be called upon to appear for or advise which is likely to affect or lead to litigation against the EPFO.
- ii. Timely appearance of the Counsel to contest the cases for EPFO in the Court is necessary. 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 empaneled Advocate shall make no claim that he/she alone should 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 so 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 the EPFO from time to time.
- vii. To ensure that there is effective check on the cases being conducted, the Advocates on the panel must report the status report will be a 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 cases before the Supreme Court or any other judicial bodies. 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/judgments etc.
- xi. Furnish monthly statement about the cases represented by him/her before the various courts 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 the advisability of filing an appeal from such a decision not later than 5 working days of the order (Original copy).
- xiii. Thirty percent 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.

7. Right to private practice and Restrictions:

- i. An Advocate, empaneled with EPFO shall have the right to private practice which should not, however, interfere with or conflict with the efficient discharge of his duties as an empaneled Advocate of EPFO.
- ii. An advocate empaneled with EPFO shall not advise any party or accept any case against EPFO in which he has appeared or is likely to be called upon to appear or advice.

8. Cancellation of Empanelment:

Empanelment of an advocate shall be liable to be cancelled due to occurring of any of the following mentioned reason;

- 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 the 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. Inferior 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 organization by serving one month's notice.

9. 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.

APPLICATION NO _____ (To be filled by EPFO)

APPLICATION FORM FOR EMPANELMENT IN EPFO

(TO BE FILLED IN BY ALL APPLICANT ADVOCATES)

To,
Office of the Additional Central P F Commissioner,
Bhavishya Nidhi Bhavan, No.13, Rajaram Mohan Roy Road,
Bengaluru – 560025.

Name (in Block letter)
Father's name:
Court for which applied
CHECKLIST List of documents attached (please tick) Copy of all certificates & mark – sheets (Xth onwards) Experience Certificate <ul style="list-style-type: none"> • Dully filed Annexure –A & B Others (Please specify): 1. 2.

PERSONAL DETAILS (IN Block letters)		
1.	Name	
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 & Phone No, alternate phone No.	
8	Permanent Address with PIN and Phone No, alternate phone No.	
9	Address of Office/Chamber, if any, with PIN & Phone No, alternate Phone No	
10.	Email ID	
11	Are you related to any EPFO employee? If so please give details (viz. Name, Desig., place of work & relationship with the applicant.	

12. Details of Educational qualification (Commencing with the Matriculation or equivalent examination)

Examinations passed	Name of the Board/University	Class or 1 st division	% of subject Marks		Year of passing
10 th / Matriculation					
12 th / Intermediate					
"Graduation LLB/Law Graduate Degree					
Post Graduation					
Other Professional Qualification					

13. 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		

14. 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		

15. 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
1		

16. infrastructural facilities with the applicant (please tick if available) be provided below:

Sl.No	Office Space	Office Clerk	Steno/Typist	Support staff

17. No. of cases relating to EPF & MP Act 1952, if handled earlier:-

Sl. No.	Title of case (Documentary proof must be attached)

18. 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 judgement wherein his/her name is recorded as advocate for one of the parties (Copy of order / judgement be attached as proof):-

Name of the Court	Case title	Nature of Judgement

19. Whether Income Tax return is being filed for last five years? Yes/No
(If Yes, please attach copies of ITRs).

20. Details of Bank Account/ Aadhar Number be provided below:-

Bank Account details (Bank Name, Account No., Address of the Branch and IFSC Code)	PAN Number	Aadhar Number

21. 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	Findings made by the Disciplinary Committee
1.		
2.		

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

Sl. No.	Details of allegations and proceedings	Findings made by the Court
1.		
2.		

23. 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):

--

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 return all cases filed and records to the EPFO as and when required by EPFO.
- 4) I agree with the Fee Schedule notified by EPFO .

Place:

Date:

Signature of Advocate

Enrolment Number
Mobile Number

APPLICATION NO. ----- (To be filled by EPFO)

ADDITIONAL INFORMATION SHEET

(To be filled in by existing Panel advocates, applying for fresh empanelment)

1. Name of the Panel Advocate :
2. Empanelled for SC/HC/EPFAT, Bengaluru:
3. Duration in the Panel
4. Total No. of cases allotted
5. No. of cases Decided

In favour case title	Against	Remanded back
1		
2		

6. No. of cases pending
7. Details of oldest pending with the Advocate:
8. Special achievement, if any
9. Remarks of applicant advocate,
if any:

(Signature and Name of the applicant)

Place:

Date:



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-JudI dated 24.09.1999 read with OM bearing number No. 21(05)2011-JudI 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

Conttd...

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. Valoram/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

Conttd...



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 nature	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)

Conttd...

SI. 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

SI. 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

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.

