



कर्मचारी भविष्य निधि संगठन
EMPLOYEES' PROVIDENT FUND ORGANISATION
(Ministry of Labour & Employment, Government of India)
आंचलिक कार्यालय, विजयवाड़ा ZONAL OFFICE, VIJAYAWADA



डो.नं.26-4-16,17, दूसरी मंजिल, ज्ञानोलीव स्ट्रीट, गांधी नगर, विजयवाड़ा - 520003.

Door No.26-4-16,17, 2nd Floor, Gnanolive Street, Gandhi Nagar, Vijayawada - 520003.

No.ACC(AP)/ZO(VJA)/Empanelment of Advocates/2024/

Dt.02.01.2024

**NOTICE INVITING APPLICATIONS FOR EMPANELMENT OF ADVOCATES
FOR NCLT, AMARAVATHI**

Employees' Provident Fund Organisation, Zonal Office, Vijayawada (herein after referred to as "EPFO"), on behalf of the Central Board of Trustees, Employees' Provident Fund Organisation, a statutory body of the Ministry of Labour & Employment, Government of India, proposes to engage Panel Advocate(s) to represent the offices of Central Board of Trustees, Employees' Provident Fund Organisation, situated in the state of Andhra Pradesh before NCLT-Andhra Pradesh located in Amaravathi.

The practicing advocates who are registered with Bar Council of India/State Bar Council are eligible for empanelment. The qualification, experience, schedule of fees, other terms and conditions and the application format in which the application has to be made, have been prescribed. It is mandatory that advocate applying for NCLT located at Amaravathi should necessarily be residing in Vijayawada or Guntur.

Eligible practicing advocates must submit application in the format prescribed in Annexure "A" and Annexure "B" enclosed herewith, along with all supporting documents in a sealed envelope to:-

**The Additional Central Provident Fund Commissioner
Employees' Provident Fund Organisation,
D.No.26-4-16, 17, 2nd Floor, Gnanolive Street,
Gandhi Nagar, Vijayawada - 520 003.
Phone : 0866-2576700**

The envelope should be superscribed as follows :-

"Application for Empanelment of Advocate for NCLT-Andhra Pradesh located in Amaravathi."

The last date of receipt of Applications in the prescribed format along with supporting documents is 25.01.2024.

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

GUIDELINES FOR EMPANELMENT OF ADVOCATES

Following guidelines are designed to provide and regulate the manner and procedure for empanelling the advocates to represent and assist EPFO before NCLT 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.

1. Eligibility of Empanelment

Before filing the application form, the candidates are advised to carefully read and follow the eligibility criteria, instructions and terms and conditions for empanelment of advocates in EPFO mentioned herein below:

Qualification and experience for conducting cases :-

- i) Be enrolled/registered as an advocate with the State Bar Council.
- ii) Have a minimum, relevant experience of Ten years of handling Service, Labour, Arbitration matters, Company Affairs and other cases with a fair knowledge of labour laws with special reference to Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (EPF and MP Act, 1952).

2. Tenure of Empanelment :

The initial empanelment will be upto the period ending 31.03.2025. Performance of empanelled advocates shall be reviewed at regular interval for continuance in the panel of Advocate.

3. Payment of Fee and other conditions :

- (i) The fee payable to the Advocates shall be governed by the Schedule of fee annexed as **Annexure "C"** with these guidelines as amended from time to time".
- (ii) The Competent Authority 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.

4. Procedure of Empanelment :

- a. The applicant advocate must apply on the format prescribed by the EPFO only. No other format will be entertained.
- b. Any application received after the last date prescribed in the advertisement shall not be entertained.
- c. No applicant advocate shall be called for interview/interaction unless he/she satisfies the eligibility conditions and is shortlisted for the same.
- d. Depending upon the requirement and number of applications received, EPFO reserves the right to shortlist the candidates to be called for interview/interaction and to be empanelled.
- e. Merely fulfilling the eligibility criteria will not confer any right on an applicant advocate to be called for interview/interaction and to be selected.
- f. The decision of the competent authority regarding short listing and selection of the candidates shall be final.
- g. Canvassing in any form shall be treated as a disqualification. The candidature of such applicants shall be cancelled forthwith.
- h. The applicant advocate shall bring original documents at the time of interview.
- i. Letter to applicant advocates confirming their empanelment will be issued by EPFO separately.

5. Duties of the Empanelled Advocates :

- a) 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.
- b) 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.
- c) EPFO sends the information to the panel advocates through email 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.
- d) EPFO is free to engage any advocate of its own choice and an empanelled Advocate shall make no claim that he/she alone should be entrusted with EPFO's legal matter(s).
- e) Refusal by any advocate to accept any work without any reasonable cause (e.g. on grounds of conflict of interest) may entail removal of such advocate from the panel, forthwith without waiting for the empanelment period to expire.
- f) The advocates shall accept the terms and conditions of the empanelment as determined by the EPFO from time to time.
- g) In order to ensure that there is effective check on the cases being conducted, the Advocates on the panel must report the status of the cases after each date of hearing. Failure to submit status report will be a ground for removal of the name of the lawyer concerned from the panel.
- h) 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 interest of Union of India, Ministry of Labour & Employment.
- i) If required, render all assistance to Special or Senior Counsel engaged in particular cases before the Supreme Court, High Court and other judicial bodies.
- j) Keep EPFO informed and updated on all-important developments in the designated cases, dates of hearing, order of the court on the date of its pronouncement, supplying copy of orders/judgment etc.
- k) Furnish monthly statement about the cases represented by him/her before the NCLT or any other authority and their outcomes.
- l) When any case attended by him/her is decided against the Organisation, the Advocate concerned must give considered opinion regarding the reasons for such adverse order and the advisability of filing an appeal from such a decision not later than 5 working days of the order (kuchha copy).
- m) 30% of the fees payable to the counsel shall be deducted if the certified copy of the judgment is not handed over to the Legal cell of EPFO within three days (excluding the time taken by the Court in preparation of the copy) from the date of judgement.

6. Removal from Panel:

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

Empanelment shall be liable to be cancelled due to occurring of any of the following disablements on the part of the Advocate.

- (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.

7. DOCUMENTS TO BE SUBMITTED BY THE ADVOCATE ALONG WITH THE APPLICATION:

- (i) Copy of Law Degree and other qualifications;
- (ii) Copy of Registration Certificate issued by the Bar Council;
- (iii) Copy of Identify Card issued by the Bar Association;
- (iv) Copy of ID Proof;
- (v) Copies of 10 judgements where the Advocate has appeared a pleader;
- (vi) Copies of Empanelment Letter issued by other Authorities / entities in favour of the Advocate;
- (vii) Resume with a brief profile of experience, background, education, list of Clients and nature of cases dealt with;
- (viii) Two recent coloured passport size photographs; and
- (ix) Copy of Income Tax Returns for last two fiscal years.

DESIRABLE:

- (i) Preference will be given to those having real time experience in pleading cases before NCLT; and
- (ii) Having a Law Degree on Company Affairs.

(वैशाली दयाल / **VAISHALI DAYAL**)

अपर केन्द्रीय भविष्य निधि आयुक्त / **ADDL. CENTRAL P.F. COMMISSIONER**
आंचलिक कार्यालय :: विजयवाड़ा / **ZONAL OFFICE :: VIJAYAWADA**

TO:

The Web Admin ... With a request to upload on EPFO Web portal.

Copy to: The Regional PF Commissioner-I/OIC, RO, Guntur & RPFC-II/OIC, District Office, Vijayawada - With an advise to give wide publicity and approach NCLT for securing maximum number of applications for empanelment.

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 Provident Fund Commissioner
Employees Provident Fund Organization,
D.No.26-4-16,17, 2nd Floor, Gnanolive Street,
Gandhi Nagar,
Vijayawada – 520 003.

Name (in Block letter)	:
Father's name	:
Court for which Applied	:
CHECK LIST	
List of documents attached (please tick)	
Copy of all certificates & mark – sheets (Xth onwards)	
Experience Certificate	
Duly filed Annexure-A & B	
Others (Please specify): 1.	
2.	

PERSONAL DETAILS (In Block Letters)		
1.	Name in Full	
2.	Father's/Husband's Name	
3.	Date of Birth	
4.	Age on (last Date of receipt of application)	
5.	Nationality	
6.	Marital Status	

7.	Address for correspondence with PIN and Phone	
8.	Permanent Address with PIN and Phone	
9.	Address of office / chamber, if any, with PIN and Phone	
10.	Mobile Number(s):	
	Email ID:	
11.	Are you related to any EPFO employee? If so, please give details (Viz, Name, Designation, 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 Division	% of Marks	Subjects	Year of passing
10 th / Matriculation					
12 th / Intermediate					
Graduation					
LLB/Law Graduate Degree					
Post-Graduation					
Other Professional Qualifications					

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

16. Infrastructural facilities available 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 and 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 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

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, Account Number, 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.

22. 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	Findings made by the Court

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 case files and records to the EPFO as and when required
by EPFO.
- 4) I agree with the Fee Schedule notified by EPFO.

Signature of Advocate
Enrolment Number
Mobile Number

Place and Date:-

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 High Court of Andhra Pradesh & Telangana, CAT, Central Government Industrial Tribunal, State Consumer Disputes Redressal Commission and lower courts etc. for the state of Andhra Pradesh _____
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 achievements, if any; _____
9. Remarks of applicant advocate, if any

(Signature and name of the applicant)

Place:-

Date:-

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...

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