



कर्मचारी भविष्य निधि संगठन

(श्रम एवं रोजगार मंत्रालय, भारत सरकार)

Employees' Provident Fund Organisation
(Ministry of Labour & Employment, Govt. of India)
(क्षेत्रीय कार्यालय वाशी) / Regional Office, Vashi



टॉवर नं 6. पांचवी मंजील, वाशी रेल्वे स्टेशन कॉम्प्लेक्स, वाशी, नवी मुंबई- 400703
Tower No.6, 5th Floor, Vashi Rly-Station Complex, Vashi, New Mumbai -
400 703

NOTICE INVITING APPLICATIONS FOR EMPANELMENT OF ADVOCATES

Office of the Regional P F Commissioner, Employees' Provident Fund Organisation (EPFO), on behalf of the Central Board, Employees' Provident Fund, a statutory body of the ministry of Labour & Employment, Government of India, proposes to engage Panel Counsel(s) to represent the Central Board, EPF on behalf of Regional Offices located in Vashi, Navi Mumbai, before CAT, DCDRF, SCDRC, NCDRC, CGIT, NCLT, District Courts, Lower Courts located in Mumbai.

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

The Advocates who are on the existing panel or EPFO shall cease to be on the panel of EPFO after new panel is finalized against this notice. Therefore, they may also apply afresh in response to the notice.

Eligible practicing advocate 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 :-

Office of the Regional P F Commissioner
EMPLOYEES' PROVIDENT FUND ORGANISATION
Regional Office, Vashi
Tower No.6, 5th Floor, Vashi Rly-Station Complex,
Vashi, New Mumbai -400 703

The envelope should Be superscripted as following: -

"Application for Empanelment of Advocate for, CAT, DCDRF, SCDRC, NCDRC, CGIT, NCLT, District Courts, Lower Courts located in Mumbai".

The last date of receiving of Applications in the prescribed format along with supporting documents is 28 July 2017. till 04.30 hours.

The eligibility, Qualifications and other terms and conditions for empanelment of advocates is available at URL: <http://www.epfindia.com/sitedocs/PDFs/Circulars/Y2017-2018/LC Panel Advocates 1264.pdf>.

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 Office of Regional P F Commissioner separately.

(Ranjan Kumar Sahoo)
Regional P.F. Commissioner-I/OIC
Regional Office, Vashi.



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Employees' Provident Fund Organisation
(Ministry of Labour & Employment, Govt. of India)

(क्षेत्रीय कार्यालय वाशी) / Regional Office, Vashi

टॉवर नं 6. पांचवी मंजिल, वाशी रेल्वे स्टेशन कॉम्प्लेक्स, वाशी, नवी मुंबई- 400703
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अधिवक्ता के नामिकायण (EMPANELMENT) हेतु आवेदन की सूचना

केन्द्रीय बोर्ड, कर्मचारी भविष्य निधि जो की श्रम व रोजगार मंत्रालय, भारत सरकार की एक सांविधिक निकाय है, की ओर से क्षेत्रीय भविष्य निधि आयुक्त का कार्यालय वाशी क्षेत्र के अंतर्गत कैट, डीसीडीआरसी, एनसीडीआरसी, केंद्र सरकार के औद्योगिक न्यायाधिकरण, राष्ट्रीय कंपनी कानून न्यायाधिकरण, डिस्ट्रिक्ट कोर्ट्स, लोअर कोर्ट्स में केन्द्रीय बोर्ड के पक्ष को प्रस्तुत करने हेतु परमर्शदाताओं की नामसूची हेतु आवेदन आमंत्रित करता है.

भारत के बार काउंसिल / स्टेट बार काउंसिल में पंजीकृत अधिवक्ता नामिकायण हेतु योग्य है. शैक्षणिक योग्यता, कार्य अनुभव, शुल्क सूची, अन्य नियम व शर्तें और आवेदन प्रारूप जिसमें आवेदन किया गया जाना है, विहित है.

कर्मचारी भविष्य निधि संगठन के वर्तमान नामसूची के अधिवक्ता इस सूचना के आधार पर नामसूची बनने के बाद सूचीबद्ध नहीं रहेंगे. इसलिए, वे सूचना के जवाब में नए सिरे से आवेदन कर सकते हैं.

योग्य कार्यरत अधिवक्ता अनुलग्नक "क" और अनुलग्नक "ख" में निर्धारित प्रारूप में आवश्यक दस्तावेज के साथ सील बंद लिफाफे में आवेदन प्रस्तुत करें :-

क्षेत्रीय कार्यालय वाशी

कर्मचारी भविष्य निधि संगठन

टावर नं.6 , पाँचवी मंजिल,

वाशी रेलवे स्टेशन काम्प्लेक्स, वाशी, नवी मुंबई - ४००७०३.

लिफाफे के ऊपर बड़े अक्षरों में निम्नवत लिखें :-

“कैट, डीसीडीआरएफ, एससीडीआरसी, सीजीआईटी, एनसीएलटी, डिस्ट्रिक्ट कोर्ट्स, लोअर कोर्ट्स मुंबई क्षेत्र के लिए अधिवक्ता के नामिकायण हेतु आवेदन”

निर्धारित प्रारूप में सहायक दस्तावेजों के साथ आवेदन प्राप्त करने की अंतिम तिथि -
28 जुलाई 2017, 04.30 बजे तक.

अधिवक्ताओं के नामसूची हेतु पात्रता, शैक्षणिक योग्यताएँ और अन्य नियम व शर्तें युआरएल : http://www.epfindia.com/sitedocs/PDFs/Circulars/Y2017-2018/LC_Panel_Advocates_1264.pdf पर उपलब्ध है.

कर्मचारी भविष्य निधि संगठन में नामिकायण हेतु आवेदन करने से आवेदकों को किसी भी रूप से यह अधिकार या आश्वासन नहीं मिल जाता की आवेदकों को कर्मचारी भविष्य निधि संगठन के नामिकायण में सूची बद्ध किया जाएगा. अधिवक्ताओं के नामिकायण की पुष्टि हेतु क्षेत्रीय भविष्य निधि आयुक्त का कार्यालय अलग से पत्र जारी करेगा.

(रंजन कुमार साहू)

क्षेत्रीय भ. नि. आयुक्त - I/प्र.अ.

क्षेत्रीय कार्यालय, वाशी.

GUIDELINES FOR EMPANELMENT OF ADVOCATES

Following guidelines are designed to provide and regulate the manner and procedure for empanelling the advocates to represent and Regional Office located in Mumbai/ office of Regional P .F .Commissioner, R.O. Vashi, 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.

1. Eligibility of Empanelment:-

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 Office of Regional P .F. Commissioner, (Vashi, Navi Mumbai) mentioned herein below:-

Qualification and experience for conducting cases in CAT, DCDRF, SCDRC, NCDRC, CGIT, NCLT, District courts, Lower Courts.

- I) Be enrolled/ registered as an advocate with the Bar Council of India/ State Bar Council.*
- II) Have a minimum, relevant experience of Ten years of handing Civil, Criminal, Service, Labour, Consumer, Arbitration matters and other cases with a fair knowledge of labour laws with special reference to Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (E.P.F. and M.P. Act, 1952)*

2. Tenure of Empanelment:-

The initial empanelment will be for the period of two years i.e. for the period 2017-2018 & 2018-2019. 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 Advocate shall be governed by the guidelines issued by EPFO and as amended from time to time.
- (ii) The Competent Authority shall have the right in exception 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 for Empanelment:-

- a. The applicant advocate must apply on the format prescribed by the office of Regional P F Commissioner, Vashi only. No other format will be entertained.
- b. An application advocate willing to be empanelled for more than one forum (i.e. for CAT, DCDRF, SCDRC, NCDRC, CGIT, NCLT District Courts, Lower Courts.) may apply separately for each forum in separate envelope superscribed as mentioned earlier.
- c. Any application received after the last date prescribed in the advertisement shall not be entertained.
- d. No applicant advocate shall be called for interview/interaction unless he/she satisfies the eligibility conditions and is shortlisted for the same.
- e. Depending upon the requirement and number of applications received, office of Regional P. F. Commissioner, Vashi reserves the right to shortlist the candidates to be called for interview/interaction and to be empanelled.
- f. Merely fulfilling the eligibility criteria will not confer any right on an applicant advocate to be called for interview/interaction and to be selected.
- g. The decision of the competent authority regarding short listing and selection of the candidates shall be final.

- h. Canvassing in any form shall be treated as a disqualification. The candidature of such applicants shall be cancelled forthwith.
- i. Shortlisted applicant advocates for interview will be communicated through email with the date, time and venue of Interview.
- j. The applicant advocate shall bring original documents at the time of interview.

5. Duties of the Empanelled Advocates :-

1. 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.
2. Timely appearance of the counsel to contest the cases for Regional Offices located in Mumbai/ office of Regional P F Commissioner, Vashi, Navi Mumbai in the Court is as must. His/her absence in the Court, without any reasonable ground and notices in advance, will not be accepted.
3. Regional Offices located in Mumbai/ office of Regional P F Commissioner, Vashi, Navi Mumbai, will send 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 at the earliest.
4. Regional Offices located in Mumbai/ office of Regional P F Commissioner, Vashi, Navi Mumbai is free to engage any advocate of its own choice and an empanelled Advocate shall make no claim that he/she should be entrusted with EPFO's legal matter(s).
5. 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.
6. The advocates shall accept the terms and conditions of the empanelment as determined by the Regional P F Commissioner, Vashi, Navi Mumbai / EPFO from time to time.
7. 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.
8. 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.
9. If required, render all assistance to special or Senior Counsel engaged in a particular case before the Courts and other judicial bodies.
10. Keep concerned Regional offices/EPFO informed and to update 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.
11. Furnish monthly statement about the cases represented by him/her before the different courts/forum and their outcomes.
12. 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 filling an appeal from such a decision not later than 5 working days of the order (Original Copy).
13. 30% of the fees payable to the counsel shall be deducted if the certified copy of the judgment is not handed over to concerned Regional Office located in Vashi, Navi Mumbai within three days (excluding the time taken by the Court in preparation of the copy) from the date of judgment.

6. Removal from Panel:-

Office of Regional P F Commissioner, Vashi, Navi Mumbai 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 damages to the EPFO's interests.
- (vi) Giving false or misleading information to the office of Regional P F Commissioner, Vashi, Navi Mumbai / Regional Offices located in Mumbai relating to the proceedings of the case; and
- (vii) Seeking frequent adjournment 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.

ANNEXURE – A

APPLICATION NO. _____ (To be filled by Office)

APPLICATION FORM FOR EMPANELMENT
IN THE OFFICE OF REGIONAL P F COMMISSIONER (VASHI, NAVI MUMBAI)
(TO BE FILLED IN BY ALL APPLICANT ADVOCATES)

To,

The Regional P F Commissioner –I
EMPLOYEES' PROVIDENT FUNO ORGANISATION
Tower No.6, 5th Floor, Vashi Rly-Station Complex,
Vashi, New Mumbai -400 703

| | |
|--|--|
| Name (in Block letter) | |
| Fathers Name (in Block letter) | |
| Court for which applied | |
| CHECKLIST | |
| List of documents attached (please tick) | |
| Copy of all certificates & mark-sheets (Xth onwards) | |
| Experience Certificate | |
| Duly filled 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 and Phone No. | |
| 8. | Permanent Address with PIN and Phone No. | |
| 9. | Address of Office/Chamber, if any, with PIN and 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 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 furnish the details below (self-certified copy of the Office Order/ lette 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 the 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:

| Sr.No. | Name of the Advocate | Enrolment No. with date |
|--------|----------------------|-------------------------|
| 1. | | |
| 2. | | |

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

| Sr.No. | Office Space | Office clerk | Steno / Typist | Support Staff |
|--------|--------------|--------------|----------------|---------------|
| | | | | |

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

| Sr. No. | Title of case (Documentary proof must be attached) |
|---------|--|
| | |

18. Whether the applicat has been engaged (through Vakalatnama) as counsel in any landmark or mother case? If yes, 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 to 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:-

| Sr. 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:-

| Sr. No. | Details of allegations and proceedings | Findings made by the Court |
|---------|--|----------------------------|
| | | |
| | | |

23. Any additional professional qualifications(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 office of Regional P. F. Commissioner – I, Vashi, Navi Mumbai/ Regional Offices located in Mumbai as and when required by concerned office.
- 4) I agree with the Fee Schedule notified by EPFO.

Place:

Date:

Signature of the Advocate

Enrolment Number
Mobile Number

ANNEXURE – B

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

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/CAT,
DCDRF,SCDRC,NCDRC,
CGIT, NCLT, District Courts,
Lower Courts located in Mumbai :

3. Duration in the Panel :

4. Total No. of cases allotted :

5. No. of cases Decided :

| In favour case title | Against | Remanded back |
|----------------------|---------|---------------|
| | | |
| | | |

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 :-