



కార్మిక రాజ్య బీమా సంస్థ
(కార్మిక మరియు ఉపాధి మంత్రిత్వ శాఖ, భారత ప్రభుత్వం)

कर्मचारी राज्य बीमा निगम
(श्रम एवं रोजगार मंत्रालय, भारत सरकार)

EMPLOYEES' STATE INSURANCE CORPORATION
(Ministry of Labour & Employment, Govt. of India)



ప్రాంతీయ కార్యాలయం/కేంద్రీయ కార్యాలయ/Regional Office

ఈ.యస్.ఐ. రోడ్డు, గుణదల, విజయవాడ-520004
ईयसआई रोड, गुणदला, विजयवाडा-५२०००४
ESI Road, Gunadala, Vijayawada-520004
Telephone: 0866-2453498
e-mail: rd-andhrapradesh@esic.nic.in

No. 62.T/11/13/Panel Advocates/2024-Legal

Date: 22.3.2024

NOTICE INVITING APPLICATIONS FOR EMPANELMENT OF ADVOCATES TO REPRESENT ESIC REGIONAL OFFICE, VIJAYAWADA FOR TRAIL COURTS AT GUNTUR & VIJYAWADA & NCLT BENCH AT AMARAVATI FOR THE YEAR 2024 - 25.

1. Employees' State Insurance Corporation (ESIC) a statutory body of the Ministry of Labour and Employment, Government of India, intends to empanel Advocates for representing ESIC R.O Vijayawada in Trail Courts at Guntur, Vijayawada & NCLT bench at Amaravati
2. The practicing Advocates who are registered with Bar Council of Guntur & Vijayawada 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, are available on ESIC website https://roap.esic.gov.in/recruitments/rosro_recruitment.
3. The Advocates who are on the existing panel of ESIC R.O Vijayawada shall cease to be on the panel after the new panel is finalized as per this current notification. Therefore, they are also required to apply afresh to this notice.
4. Eligible practicing Advocates who are not in the existing panel of ESIC R.O Vijayawada may submit an application in the format at **Annexure-'A'**. The Advocates who are on the existing panel of ESIC R.O Vijayawada should apply afresh in the format at **Annexure-'B'**. Therefore, they are also required to apply afresh to this notice.

The application along with all supporting documents by the applicants is to be sent to the under mentioned address by super scribing "**Application for the Empanelment of Advocates for Trail Courts at Guntur, Vijayawada & NCLT bench at Amaravati** "

**The Regional Director (Legal),
ESI Corporation Regional Office,
Panchdeep Bhawan, D.No.48-7-32/A, Gunadala
Vijayawada- 520004. Tel:0866-2453498**

The last date of receiving Applications in ESIC R.O Vijayawada office, in the prescribed format is **17.04.2024 till 17.00 hours.**

5. The application for empanelment with ESIC does not confer any right/assurance of any kind that they will be empaneled on the ESIC panel. The list of selected Advocates will be made available on ESIC website https://roap.esic.gov.in/recruitments/rosro_recruitment. Letters to advocates confirming their empanelment will be issued by ESIC separately.
6. ESIC shall have the right to reject any application received for empanelment without assigning any reason or postpone or cancel the entire process of empanelment at its sole discretion.

-Sd/-

DEPUTY DIRECTOR (LEGAL)

For I/C REGIONAL DIRECTOR
ESIC, REGIONAL OFFICE
VIJAYAWADA(AP)

Application format for new Advocates

Application No _____(To be filed by ESIC)

APPLICATION FORM FOR EMPANELMENT OF ADVOCATES FOR ESIC REGIONAL OFFICE, VIJAYAWADA FOR TRAIL COURTS AT GUNTUR, VIJAYAWADA &NCLT bench at AMARAVATI (TO BE FILLED IN BY ALL APPLICANT ADVOCATES FOR YEAR 2024-25).

To,

**The Regional Director (Legal),
ESI Corporation Regional Office,
Panchdeep Bhawan,D.No.48-7-32/A, Gunadala
Vijayawada- 520004.Tel:0866-2453498**

PERSONAL DETAILS (In Block letters)		
1.	Name of the Court for which empanelment is applied (TRAIL COURT AT GUNTUR &VIJAYAWADA &NCLT bench at Amaravati) NOTE: Applicants willing to apply for more than one court need to apply separately.	
2.	Name in FULL(in block letters)	
3.	Father's/ Husband's Name	
4.	Date of Birth	
5.	Age on (last Date of receipt of application)	
6.	Nationality	
7.	Marital Status	
8.	Address for correspondence with PIN and Phone	
9.	Permanent Address with PIN and Phone	
10.	Address of Office/Chamber, if any, with PIN and Phone	

11.	Enrollment number(please attach copy)	
	Advocate-on-Record Registration Number and date of registration (please attach a copy)	
12.	Mobile Number (s)	
13.	Email ID:	
14.	Are you related to any ESIC employee? If so, please give details (Viz. Name, Designation, place of work & relationship with the applicant):	

15. Details of Educational qualification (Commencing with the matriculation or equivalent examination):

Examinations Passed	Name Of Board/ University	Name of institution	Class or Division	% of Marks	Subjects	Year of passing
10th/Matriculation						
12 th /Intermediate						
Graduation						
LLB/Law Graduate Degree						
Post- Graduation						
Other Professional Qualifications						

16 Whether the applicant is currently on the Panel of any other Government Department/PSU /Statutory Body/ Autonomous Body etc., and if yes, please give 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

17. Whether the applicant has worked as a 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.		

18. 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.		
2.		

19. Infrastructural facilities available with the applicant be provided below (please

tick if available): Office space (Address, area, location, Self owned/Leased)	Office clerk	Steno/typist	Support staff

20. Number of Cases handled at various Judicial Fora (last five years):

Name of the Court	Year	Total No. of Cases handled/ admitted	Number of cases decided in favour	Number of cases decided against	Number of remanded back cases	No.of pending cases
Trail Court At Guntur						
Trail Court At Vijayawada						
NCLT Amaravati						
Others(please specify)						

21. Whether the applicant has been engaged (through Vakalatnama) as Advocate in any landmark or mother case? If yes, the particulars of the case with copy of the judgment wherein his/her name is recorded as advocate for one of the parties (Copy of order/judgment be attached as proof):

Name of the Court	Case title	Nature of Judgment/Brief

22. Details of Bank Account, PAN be provided below:

Bank Account Details (Bank, Account Number, Address of the branch and IFSC code)	PAN Number	Aadhar Number

23. Annual Income for the last two years:

Sl. No.	Financial year	Annual Income (Rs.)	Professional Income from Legal practice (Rs.)
1			
2			

24. Whether any proceeding has ever been commenced or is continuing before the Disciplinary Committee of the Bar Council for alleged professional misconduct:

Sl. No	Details of allegations and Proceedings	Finding made by the Disciplinary Committee
1		
2		

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

Sl.No.	Details of allegations and Proceedings	Finding made by the Court
1		
2		
3		
4		
5		

26. Any additional professional qualification(s), which will further the candidature, including membership of professional societies, awards and honors etc. may be listed in the box below. (Documentary proofs may be attached):



27. DOCUMENTS TO BE ENCLOSED:

- Copy of Law Degree and other qualifications;
- Copy of Registration Certificate Issued by the Bar Council;
- Copy of Identity Card issued by the Bar Association;
- Copy of ID Proof;
- Copy of Advocate on Record registration;
- Copies of 10 judgments where the Advocate has appeared as pleader;
- Copies of Empanelment Letter issued by other Authorities/entities in favour of the Advocate
- Resume with a brief profile of experience, back ground, education, list of clients and nature of cases dealt with;
- Two recent colored passport size photographs
- Copy of Income Tax Returns for last two financial years.

UNDERTAKING

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 canceled and matter will be referred to the appropriate authority.

I also undertake to maintain absolute secrecy about the cases of the ESIC as required.

I also undertake to abide by the terms and conditions of engagement.

I also undertake to return all case files and records to the ESIC as and when required by ESIC.

I agree with the Fee Schedule notified by ESIC.

- Signature of Advocate: _____
- Enrolment Number: _____
- AOR Registration Number: _____
- Mobile Number: _____
- Place _____
- Date: _____

**Application format for existing Empaneled Advocates of
ESIC, Regional Office, Vijayawada**

Application No. _____

(To be filed by ESIC)

APPLICATION FORM FOR EMPANELMENT OF EXISTING PANEL ADVOCATES OF **ESIC REGIONAL OFFICE, VIJAYAWADA FOR TRAIL COURTS AT GUNTUR & VIJYAWADA&NCLT BENCH AT AMARAVATI**(TO BE FILLED IN BY ALL APPLICANT ADVOCATES FOR YEAR 2024-25).

To,

The Regional Director (Legal),

GunadalaVijayawada -520004

E SI Corporation, Regional Office,

D.No.48-7-32/A,Panchdeep Bhawan,

Information Sheet (To be filled in by existing Panel advocates of Trail Court at Guntur & Vijayawada &NCLT bench at Amaravati in ESIC, R.O, Vijayawada and applying for fresh empanelment for year 2024-25).

1.Name of the Court for which empanelment is applied (Trail Court at Guntur, Vijayawada &NCLT bench at Amaravati)

Note: Applicants willing to apply for more than one court need to apply separately. _____

2. Name of the Panel Advocate: _____

3. AOR Registration Number and date of registration (Please attach a copy): _____

4. Empaneled for Trail Courts at Guntur or Vijayawada or NCLT bench at Amaravati : _____

5. Duration in the Panel: _____

6. Court for which applied for: _____

7. No. of cases handled (ESIC) (Last 2 years): _____

Name of the Court	Year	Number Of cases assigned(opening balance)	Number of fresh cases allotted	Number of cases won	Number of cases lost	Number of remanded back cases	No. of pending cases (closing balance) (As on date)
Trail Court at Guntur							
Trail Court at Vijayawada							
NCLT bench at AMARAVATI							
Others (please specify)							

8. Annual Income for the last two years.

Sl. No.	Financial year	Annual Income
1		
2		

9. Whether any proceedings has ever been commenced or is continuing before the Disciplinary Committee of the Bar Council for alleged professional misconduct:

Sl No.	Details of allegations and Proceedings	Finding made by the Disciplinary Committee.
1		
2		

10. Whether any criminal complaint has ever been filed or FIR registered or any criminal proceedings has ever commenced against the applicant advocate:

Sl. No.	Details of allegations and Proceedings	Finding made by the Court
1		
2		

11 .Name and Designation of relatives/spouse in ESIC:

Sl.No.	Name of the relative in ESIC and his/her Place of posting & designation	Relation

12. Details of old cases pending in the Court assigned to the advocate:

13. Special achievements, if any (please add page, if required):

14. Remarks of applicant advocate, if any:

15. Documents to be enclosed:

- Copy of Law Degree and other qualifications;
- Copy of Registration Certificate issued by the Bar Council;
- Copy of Identity Card issued by the Bar Association;
- Copy of ID Proof;
- Copy of Advocate on Record registration;
- Copies of 10 judgments where the Advocate has appeared as pleader;
- Copies of Empanelment Letter issued by other Authorities/entities in favor of the Advocate;
- Resume with a brief profile of experience, back ground, education, list of clients and nature of cases dealt with;
- Two recent colored passport size photographs;
- Copy of Income Tax Returns for last two financial years.

UNDERTAKING

- 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.

- I also undertake to maintain absolute secrecy about the cases of the ESIC as required.

- I also undertake to abide by the terms and conditions of engagement.

- I also undertake to return all case files and records to the ESIC as and when required by ESIC.

- I agree with the Fee Schedule notified by ESIC.

Signature of Advocate: _____

Enrolment Number: _____

AOR Registration Number: _____

Mobile Number: _____

Place _____

Date: _____

**GUIDELINES AND TERMS AND CONDITIONS FOR
EMPANELMENT OF ADVOCATES FOR ESIC REGIONAL
OFFICE, VIJAYAWADA**

ESIC defends its cases through its panel of advocates. It is supremely important that the legal cases of ESIC are properly defended. In order to defend the cases properly, it is necessary to have good panel Advocates, capable of presenting the cases in an effective manner before the courts. The panel advocates for Trial Courts at Guntur and Vijayawada & NCLT bench at Amaravati are appointed by ESIC Regional Office, Vijayawada with the approval of the Regional Director.

The policy on empanelment of advocates to regulate the manner and procedure for empanelment is described as under:

1. GENERAL:

- In order to effectively defend the cases before various legal fora, ESIC has its own set of panel advocates. The schedule of fees payable to them shall be as prescribed by ESIC.
- Empanelment will only confer a right to be considered for legal work, if any, and not bind ESIC to award or give work to any Advocate, so empaneled, at any point of time during the term of engagement.
- The allocation of cases shall be at the sole discretion of Officers so authorized by ESIC.
- Upon termination or non-renewal of term of empanelment, as the case may be, the Advocate shall return the brief(s) allocated to the Advocate by ESIC along with all other documents/records connected thereto, with no objection certificate, if so required. No Advocate shall have the right to represent ESIC or undertake any activity upon expiry or termination of the term of engagement.
- Cases involving similar issues/points of law or otherwise interlinked or clubbed, may be entrusted to the same Advocate as far as possible, while care shall be taken to avoid concentration of cases in the hands of one Advocate/ a few advocates.
- The empaneled Advocates shall not delegate cases and shall themselves deal with the same. They may have to coordinate and work with designated Senior Advocates, if any, engaged in the case as well as with the Officers of ESIC, if required.
- The empaneled Advocates shall not use ESIC's name, logo, symbol, etc. on their letterhead, signboard, name plate, pamphlets, etc., such as 'Legal Advisor of ESIC', 'Advocate of ESIC', etc. No empaneled Advocate shall represent himself as the Standing Advocate of ESIC before any court or forum unless specified as such by ESIC.

- The Advocate shall ensure efficient and effective professional services and bestow commensurate attention in relation to matters of ESIC and conduct himself at all times in accordance with the Advocates Act, 1961 and rules laid down by the Bar Council, including rules regarding code of conduct and ethics.
- **The Advocate, while pursuing any case on behalf of ESIC, shall not act without instructions of ESIC and inform ESIC about the proceedings of each hearing by reporting mail and furnishing a copy of orders of each date without which the ESIC may not settle bills of payment.**
- The Advocate shall not seek any adjournment unless ESIC deems it necessary on valid or cogent reasons. Under no circumstances, the matters entrusted by ESIC should go unattended before the Court, which shall be viewed as serious violation of conditions of empanelment and may entail de-empanelment.
- The performance of each empaneled Advocate shall be subject to periodical review in such form as may be prescribed in this behalf by the Competent Authority.
- The empaneled Advocate shall maintain strict confidentiality of the cases or other matters handled on behalf of ESIC and shall not divulge any information to any third party or to the media. Any Advocate who is found to have violated the above condition shall be liable to de-empanelment.
- Refusal of any empaneled Advocate to take up a matter on behalf of ESIC, without proper justification or grounds, shall entail cancellation/withdrawal of engagement.
- ESIC reserves the right to modify or relax the terms and conditions of engagement at any time and also the right to verify the information submitted by the Advocate. The Advocate shall accept the full terms and conditions of the empanelment as determined by ESIC from time to time.
- The Advocate should have an Office at the place where empanelment is sought. The Advocate should have adequate infrastructure in terms of accessible office, chambers, library, manpower, etc. which shall be considered at all times.
- The Advocate should have excellent communication skills.
- The applications of Advocates shall be shortlisted on such basis as may be decided by the ESIC. The shortlisted Advocates may be called for further interaction before finalization of

their empanelment. No TA/DA will be admissible for attending such interaction.

- ESIC reserves the right to accept or reject any application without assigning any reason or to postpone or cancel the entire process of empanelment, if necessary.
- If required and considered appropriate by the Competent Authority, Attorney General of India/Solicitor General of India/Additional Solicitor General/Advocate General/Designated Senior Advocates may be engaged to argue the cases on behalf of ESIC keeping in view the importance of the matter. The Competent Authority in these cases shall be the Director General, ESIC or any officer so authorized by Director General, ESIC.
- An Advocate can be engaged from outside the panel of the ESIC Regional Office, Vijayawada against a fee which is higher than that prescribed by ESIC, if his/her engagement for litigation is considered desirable to protect or promote the best interest of ESIC. Such an Advocate shall be engaged after recording the reasons for his/her engagement and after securing the permission of the Regional Director, ESIC, Regional Office, Vijayawada.

2. Eligibility criteria for empanelment

- The Advocate should have a Bachelor Degree in Law from a recognized University in India
- The Advocate should be enrolled/ registered as an advocate with a Bar Council of Guntur or Vijayawada.
- For empanelment for Trial Court, the Advocate should be registered as an Advocate on Record.
- The Advocates applying for empanelment in the Trial Court are required to have the minimum professional/court practice experience of at least 05 years in the various courts as on the date of Advertisement
- However, the Regional Director, ESIC, Regional Office Vijayawada may relax the experience or prescribe any other additional qualification or condition as may be deemed fit.

3. Tenure of Panel:

In the interest of continuity and stability, ordinarily the panel shall be constituted for a period of **3** years. However, for the reasons to be recorded in writing the panel can be discontinued before expiry of the term. The process of the new panel shall be started before the expiry of the existing panel. For any reason if a panel is reconstituted before expiry of

the existing panel, the existing panel shall continue till the new panel is constituted so that the on-going litigations are not affected. Tenure of the existing panel can also be extended till such time the new empanelment is completed and it shall be obligatory on the existing empaneled Advocates to continue to provide professional legal service during the extended term.

4. Size of Panel:

In order to effectively and closely monitor the Advocates, there is a need to fix the limit on the size of the panel. Further, there is also a need for fixing the limit of cases per advocate so that all the advocates get proportionate work. However, for the best performing advocates, relaxation can be made by the Regional Director ESIC, R.O, Vijayawada.

- The size of the panel shall be so decided that one Advocate is allocated around 20-30 cases depending on the workload. However, for reasons to be recorded and based on good performance of an advocate, additional cases can be assigned with the approval of Regional Director, ESIC, R.O, Vijayawada
- The maximum & minimum size of panel not exceed 10 Advocates and minimum 02 Advocates

5. Payment of Fee and other Conditions

- The fee payable to the Advocates shall be as prescribed by ESIC vide OM No. T 11/12/2/2016-Legal dated 02.01.2017 and 01.05.2019 for panel Advocates and Law Officers and NCLT Circular dated 09.01.2024 respectively.
- No retainer fee shall be paid to any Panel Advocate merely because such advocate has been empaneled.

6. General procedure for empanelment

- The applicant advocate must apply in such form/format as may be prescribed by ESIC, Regional Office, Vijayawada. No other form/format will be entertained.
- Depending upon the requirement and number of applications received, ESIC reserves the right to shortlist the candidates to be called for **interaction** and to be empaneled.
- Merely fulfilling the eligibility criteria will not confer any right on an applicant advocate to be called for interaction and to be selected.
- The decision of ESIC, Regional Office, Vijayawada regarding short listing and selection of the candidates shall be final.
- Canvassing in any form shall be treated as disqualification. The candidature of such applicants shall be canceled forthwith.
- The date, time, venue and mode of interaction shall normally be communicated by E-mail or letter. In exceptional circumstances SMS etc. may be used as an additional form of communication.
- The applicant advocate may be required to bring original documents at the time of interaction.

The list of selected advocates will be made available in public domain by ESIC at https://roap.esic.gov.in/recruitments/rosro_recruitment. The applicant advocates selected for empanelment may be issued electronic or written communication by ESIC Regional Office, Vijayawada separately.

7. Documents to be submitted by the Advocate

The Advocates will be required to furnish following documents along with the application form:

- Copy of Law Degree and other qualifications;
- Copy of valid Registration Certificate Issued by the Bar Council;
- Copy of Identity Card issued by the Bar Association;
- Copy of ID Proof;
- Copy of Advocates on Record registration;
- Copies of 10 judgments where the Advocate has appeared as pleader;
- Copies of Empanelment Letter issued by other Authorities/entities in favor of the Advocate;
- Resume with a brief profile of experience, background, education, list of clients and nature of cases dealt with;
- Two recent colored passport size photographs;
- Copy of Income Tax Returns for last two financial years.

8. Selection Committee

- There shall be a two-level committee for selection of empanelment -
- One, for short listing of new & existing applicants based on the documents, profile and performance of the Advocates etc.,
- Second, for interacting in interviews and selecting advocates from the short list.
- The two-level Committee for empanelment at ESIC R.O, Vijayawada shall consist of the following members
- a First level Committee-Comprising of two Assistant Directors.
 - b. The Second level Committee- Two Deputy Directors. A special invitee in the field shall be co-opted with the permission of Regional Director, ESIC, R.O, Vijayawada. The members of both the committees shall be nominated by the Regional Director, ESIC, R.O, Vijayawada.

9. Duties of the empaneled Advocates

- The Advocate shall not advise any party or accept any case against ESIC in which he/she appeared or is likely to be called upon to appear or advise which is likely to affect or lead to litigation against ESIC.
- **Timely appearance of the Advocate to contest the cases for ESIC in the Court is a must and his/her absence in the Court will not be accepted.**
- ESIC sends the information to the panel advocates through email regarding entrustment of a case and after receiving the email, it is duty of the **Panel Advocates to collect the brief/copy of petition along with assignment letter from the concerned office of ESIC at the earliest.**
- ESIC is free to engage any advocate of its own choice and an empaneled Advocate shall make no claim that he/she alone would be entrusted with ESIC's legal matter
- 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.**
- The advocates shall accept the terms and conditions of the empanelment as determined by ESIC, Regional Office, Vijayawada from time to time.
- 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 a status report will be grounds for de-empanelment.
- 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.
- If required, the empaneled Advocate of ESIC shall render all assistance to Special or Senior Advocate engaged in particular cases before various Courts. If required, the advocates may be assigned matters to defend interest of ESIC before various

legal fora within/out-side Vijayawada & Guntur.

- **It shall be the responsibility of the empaneled Advocate to keep ESIC 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.**
- Furnish monthly statement about the cases represented by him/her before the various Courts and their outcomes.

When any case attended by him/her is decided against the Corporation, 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 in a period not later than 5 working days of the order (Kuchha Copy).

10. Right to private practice and restrictions

An Advocate shall have the right to private practice which should not, however, interfere with or be in conflict with the efficient discharge of his duties as an empaneled Advocate of ESIC.

- An Advocate shall not advise any party or accept any case against ESIC during empanelment.

11. Cancellation of empanelment

Empanelment of an advocate shall be liable to be canceled due to occurrence of any of the Below mentioned reasons:

- Giving false information in the application for empanelment;
- Failing to attend the hearing of the case without any sufficient reason and/or prior information;
- Not acting as per ESIC's instructions or going against specific instructions;
- Threatening, intimidating or abusing any of the ESIC's Employees, Officers, or representatives;
- Passing on information relating to ESIC's case on to the opposite parties or their advocates or any third party which adversely affects the ESIC's interests;
- Giving false or misleading information to ESIC relating to the proceedings of the case;
- **Seeking frequent adjournments or not objecting the adjournment moved by other party without sufficient reason;**

- Frequent absence from the court proceedings even if “pass over” or “proxy” is obtained by an advocate.
- Poor performance of the panel Advocate as assessed by ESIC, Regional Office, Vijayawada.
- Further, ESIC reserves the right to terminate the empanelment of a Advocate with one month’s notice in writing without assigning any reason. The Advocate may also apply for termination of empanelment by serving one month’s notice.

12. 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 ESIC, Regional office, Vijayawada shall be final.

13. Relaxation of any Terms and Conditions

The Regional Director, ESIC, R.O, Vijayawada shall have the power to relax any terms and conditions prescribed. The details of fees payable are also present from 24 to 29 pages.



HEADQUARTERS OFFICE
EMPLOYEES' STATE INSURANCE CORPORATION
PANCHDEEP BHAWAN, C.I.G. ROAD,
NEW DELHI-110002
(<http://esic.nic.in>)

No. : T-11/12/2/2016-Legal

Dated: 02.1.2017

OFFICE MEMORANDUM

**Sub : Revision of fees payable to various categories of Advocates/
Counselors engaged in ESIC – regarding**

The Delegation of Power for payment of fees to the advocates/Panel Counselors have been communicated through letter no. A-38/15/2005-MSU dated 20/02/2005 stands modified to the extent as given in the table below :

(A) Fee Structure PER CASE including Misc. Application			
S.No.	Court	Consolidated fees	Remarks
i	High Courts, National Consumer Forum	Rs. 25,000/-	This may be incorporated in Combined DOPs/DOPs issued to RDs/ Directors/ Joint Director Incharge/ MS/Deans Medical Institutions (wherever applicable)
ii	CAT	Rs. 20,000/-	
iii	State Consumer Forum District and Subordinate Courts and other Tribunals	Rs. 12,000/-	
iv	E.I. Courts, Magistrate Courts, District Consumer Forum	Rs. 5,000/-	
NB	<i>1. 50% of the fee shall be paid on the completion of pleadings and balance 50% shall be paid after arguments, finalization of the case and on submission of certified copy of the judgement alongwith his/her opinion in case the judgement goes against the corporation either in full or part.</i> <i>2. Misc. Expenditure including Court Fees shall be paid on actual basis on the submission of bills alongwith the statements and/or Vouchers.</i>		

(B) The OM No. 26(1)/2014-Judl dated 01/10/2015 issued by Ministry of Law and Justice, Department of Legal Affairs, Govt. of India (copy enclosed) has been adopted for the panel Counselors of ESIC who are also in the panel of Central Govt.

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All ESIC panel Counsels shall be entitled for fee structure mentioned at (A) above to the courts mentioned therein. For Courts mentioned at (A) I & II, non-central Govt. panel Counsels shall have option either to opt consolidated fee or the fees applicable to the Jr. Counsels laid down in the OM. However, for payment of fees to Advocates/Counsels at Sr. Counsel rates, the prior approval of status of the Counsels needs to be obtained from the Hqrs.

The Central Govt. Standing Counsels who have accepted and attended the Court on behalf of Union of India/ESIC and ESIC Counsels could not appear, the fee shall be regulated as per the OM no. 33(1)/2000-Judl dated 11/09/2000 issued by the Ministry of Law, Justice and Company Affairs, Govt. of India shall be applicable. (Copy enclosed)

The effective/non-effectiveness of the hearing should be ensured as per OM dated 11/09/2000 while making payment of fees as per Govt. of India rates.

The effective date of the revised fees for (A) & (B) shall be 01-01-2017.

Encl : a.a.


(A.K. SAHU)
JT. DIRECTOR (LEGAL)

Copy to :

1. All Divisional Heads, ESIC, Hqrs./NTA, New Delhi
2. All Regional Directors/Director/Joint Director I/c of ROs/SROs
3. All Medical Superintendents, ESIC Hospitals
4. All Deans, ESIC Medical College/Institutions
5. All Joint Directors (Finance)/Dy. Director (Finance) of ESIC establishments.
6. The Joint Director (E-V/Cash), Hqrs.
7. Web Site Content Manager, ESIC Hqrs. with the request to upload on the web site.
8. Rajbhasha Shakha for Hindi Version/MSU for updates
9. P.S. to D.G.
10. Guard File



OFFICE MEMORANDUM

Subject:- Revision of fees payable to Law Officers, Special Counsel & Senior Advocate- reg.

In continuation to this Office Memo of even number dated 02.01.2017, the Competent Authority has adopted the Notification F.No.26(1)/2014 dated 01.10.2015 issued by Ministry of Law & Justice in r/o Law Officers (Condition of Service) Amendment Rules,2015 for regulating the fees in r/o Attorney General(AG), Solicitor General(SG), Addl. Solicitor General(ASG), Special Counsel (Ex.- AG, SG, ASG) and Senior Advocates appointment by the Hon'ble Courts.

Rest of the Contents of OM dated 02.01.2017 shall remain unchanged.

(A.K.SAHU)
DIRECTOR

To,

1. All Divisional Heads, ESIC,Hqrs./NTA,New Delhi
2. All Regional Directors/Director/Joint Director I/c of Ros/SROs
3. All Medical Superintendent, ESIC Hospitals
4. All Deans, ESIC Medical College/Institution
5. All Joint Directors (Finance)/Dy.Director (Finance) of ESIC establishment
6. The Director(E-V/Cash),Hqrs.
7. Web Site Content Manager, ESIC Hqrs. with the request to upload on the web site.
8. Rajbhasha Shakha for Hindi Version/ MSU for updates
9. P.P.S. To D.G.
10. Guard File



क्षेत्रीय कार्यालय/Regional Office :: Andhra Pradesh
कर्मचारी राज्य बीमा निगम/Employees' State Insurance Corporation,
(आइ एस ओ ISO 9001:2008 प्रमाणित संगठन Certified Organisation
ESI Hospital Road, Gunadala, Vijayawada- 520 004
TEL:0866-2453496,2453497,2453498, FAX:0866-453490

ESIC
Chinta Se Mulati

Date: 14.11.2017

No.62-T-11/13/15/Legal/bills

CIRCULAR

In Continuation to this office Circular No.62.T-11/11/misc./05/Legal, dated.12.03.2013, the Regional Director is pleased to approve the revised rates of Fee payable to the counsels engaged by the E.S.I. Corporation for defending cases under Section 75, 84 and 85 of the E.S.I. Act in E.I Courts, cases under Section 138 of N.I Act and other cases i.e. Magistrate Courts, District Consumer Forum.

The revised rates are applicable to all those Bills/Claims/Pending in cases under Section 75, 84 and 85 of the ESI Act, under Section 138 of N.I Act and other cases till further orders. The Revised rates are applicable in respect of claims to be settled on or after 01.01.2017.

Counsels are requested to claim the fee as per the revised schedule enclosed herewith.

Schedule on over leaf.


(N. RAMACHANDRA RAO)
ASSISTANT DIRECTOR (LEGAL)

Copy to:-

01. All Counsels of E.I. Courts within the Jurisdiction of Regional Office, Vijayawada.
02. All Branch Managers, S.S.Os' under R.O., E.S.I. Corporation, Vijayawada
Jurisdiction for record and circulation among Counsels.
03. S.S.O (Legal), R.O., E.S.I.C, Vijayawada.
04. Dy. Director (Finance), R.O, E.S.I.C, Vijayawada for records with reference to the
Concurrence at Note Sheet No.11 on the file of even No, dated.26.10.2017.
05. Assistant Director (Cash), R.O, E.S.I.C, Vijayawada for information.
06. P.S to R.D, R.O, E.S.I.C, Vijayawada for information.

ASSISTANT DIRECTOR (LEGAL)

**SCHEDULE OF REVISED RATES IN RESPECT OF CASES FILED UNDER
SECTION 75/54-A, UNDER SECTION 84/85 OF THE ESI ACT IN E.I. COURTS
AND 138 OF N.I ACT APPLICABLE W.E.F.01.01.2017**

S.L.no.	Type of Cases	Existing Rates w.o.f 01.05.2010	Approved Fee w.e.f 01.01.2017
01.	E.I Courts, Magistrate Courts, District Consumer Forum.		
	(A). E.I Courts (Sec.75/54-A)	Rs.2,500/-	Rs.5,000/-
	(B).Prosecutions (Sec.84/85)	Rs.2,000/-	Rs.5,000/-
	(C). Sec.138 N.I. Act.	Rs.2,000/-	Rs.5,000/-
02.	Clerkage	10.00% (Ten Percentage) of Fee	10.00% (Ten Percentage) of Fee
03.	Drafting		
04.	Typing	Rs.500/-	Rs.750/-
05.	Judgment Copy	Actual Amount	Actual Amount
06.	Misc. Expenditure	Rs.300/-	Rs.450/-
07.	Written Legal opinion	Rs.500/-	Rs.750/-


 (N. RAMACHANDRA RAO)
 ASSISTANT DIRECTOR (LEGAL)



कर्मचारी राज्य बीमा निगम
(असुर और पेशेवर संरक्षण, कर्मचारी)
EMPLOYEES' STATE INSURANCE CORPORATION
(Ministry of Labour & Employment, Government of India)



पंचदीप भवन, सी.आई.सी. मार्ग, नई दिल्ली-110002
PANCHDEEP BHAWAN, C.I.G. MARG, NEW DELHI-
110002
E-mail: eoffice-hq@esic.nic.in

संख्या :- Estt/legal/4089/Misc./2023

दिनांक: 09.01.2024

To,

All Regional Office, All Medical Superintendent/Dean
All Sub-Regional Office ESI Hospital/Medical/Dental College
ESI Corporation

Sub :- Fees to the Advocates engaged for NCLT and NCLAT-rcg.

Sir,

With reference to above-mentioned subject, I am directed to inform you that Fee payable to an Advocate, for representing/defending ESIC in NCLT, may be considered at par with the fee fixed for 'State Consumer Forum District/Subordinate Courts & other Tribunals'.

Further, so far as payment of fee to an advocate for representing ESIC in NCLAT is considered, it has to be paid on par with the fee payable to the advocate of High Court, as appeal against order of NCLAT lies only in Supreme court.

The fee prescribed for NCLT and NCLAT is as under:

Tribunal	Consolidated Fee (Option 'A')	Fees per hearing (Option 'B')	Remarks
NCLT	Rs. 12000/-	Rs. 1800/-	Advocate may exercise either option 'A' or 'B' in the light of OM No. T-11/12/2/2016-legal dated 02.01.2017.
NCLAT	Rs. 25000/-	Rs. 9000/-	

This issues with the approval of Competent Authority.

Yours sincerely,

Signed by Shreyas Singh

Date: 09-01-2024 16:59:49

Reason Approved

Deputy Director (Legal)