



कर्मचारी राज्य बीमा निगम
(श्रम एवं रोजगार मंत्रालय, भारत सरकार)
EMPLOYEES' STATE INSURANCE CORPORATION
(Ministry of Labour & Employment, Govt. of India)



क्षेत्रीय कार्यालय/Regional Office
पंचदीप भवन, ई.डी.सी. प्लॉट संख्या 23, पाट्टो, पणजी, गोवा -403001
Panchdeep Bhavan, EDC Plot No. 23, Patto, Panaji, Goa-403001
Phone: 0832-2438853 ई-मेल/E-mail : rd-go@esic.nic.in,
वेबसाइट/Website : www.esic.nic.in
Toll free no-1800-11-2526/3839 Fax No-0832-2438858

No: 32/T/11/11/02/2023/Empan Adv

Date: - 26/6/2023

Empanelment of Advocates in the Employees' State Insurance Corporation, Goa

The Regional Director In-charge, Employees' State Insurance Corporation (the Corporation), Goa invites application from competent practicing Advocates, for empanelment as Standing Counsel to represent ESIC, Goa **before the High Court of Bombay at Goa and in the Court of the Employees Insurance Court cum Principal District Judge, Margao, South Goa, Goa.** Eligible applicants may send their application to "The Regional Director, ESIC, Regional Office, Panchdeep Bhawan, EDC, Plot No. 23, Patto Panaji, Goa – 403 001" latest by **17/07/2023 at 05:30 P.M.**

Terms & Conditions of empanelment and assignment of cases are as under: -

Terms & Conditions:

1. Eligibility:

Advocates should have minimum of 5 years' experience of standing in the Bar and should have handled Labour Law related cases and should be well versed with the ESI Act as well as other related Acts and Codes. They should not be handling any case at present against the Corporation.

2. General:

- (i) The Advocate shall not necessarily be empanelled for specific court and shall accept the work assigned to him/her and shall not refuse to accept any case without reasonable cause.
- (ii) Refusal by any Advocate to accept any case otherwise than on grounds of conflict of interests, may entail removal of such advocate from the panel. Similarly, ***no advocates as long as his name is on the panel shall contest any matter against the Corporation.***
- (iii) The Advocates empanelled under these guidelines shall not be employees of the Corporation and, therefore, shall not be eligible for any benefits available to the employees.
- (iv) The empanelled Advocate shall maintain absolute secrecy and confidentiality about the cases of the Corporation.

3. Tenure /term of Empanelment:

The initial empanelment will be for Five years or until further orders whichever is earlier. Performance of empanelled advocates shall be reviewed on annual basis. However, on completion of the term and satisfactory performance of the advocate, the empanelment may be renewed for a period of another Five years by the Corporation. The corporation reserves the right to terminate the empanelment of any advocate at any time with a notice of 15 days.

Schedule of Fee:

- (i) Fee structure is as under: -

Sl. No.	Court	Consolidated fees
1.	High Court	Rs.25,000/-
2.	E.I. Courts, Magistrate Courts and Labour Court	Rs.5,000/-

- (ii) 50% of the fee, if requested so by the advocate, 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 along-with his/her opinion in case the judgement goes against the Corporation either in full or part.
- (iii) Miscellaneous expenditure including Court Fees shall be paid on actual basis on the submission of bills along-with the statements and/or Vouchers.

4. Procedure for Empanelment:

The Regional Director In-charge, ESIC, Goa will consider the bio-data for empanelment only on merit and while considering the requests from the advocates, length of practice and specialization in the area concerning the Corporation shall be given priority.

5. Documents to be submitted by the Advocates:

- (i) Matriculation certificate in support of Age.
- (ii) Certificate of Registration with Bar Council.
- (iii) Identity Card issued by Bar Association/Bar Council.
- (iv) Certificates in support of educational qualification.
- (v) Full details of experience in the field of Labour Laws.
- (vi) An undertaking from the advocates to the effect that all information furnished by him/her is correct.

6. Communication of Empanelment:

After a decision to empanel the advocate is taken, a communication in writing to this effect shall be sent to the Advocate with acknowledgement and acceptance due. The process of empanelment shall be complete when the Corporation receives an acceptance letter from the advocate.

8. Right to Private Practice and Restrictions:

- (i) 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/her duties as an empanelled advocate of the Corporation.
- (ii) An advocate shall not advise any party or accept any case against the Corporation in which he/she has appeared or is likely to be called upon to appear or advise.

9. Disablements: disablement on the part of the Advocate shall mean and include any of the following:

- (i) Giving false information in the application for empanelment;
- (ii) Handing over the case to another advocate, except to a duly appointed Junior Advocate;
- (iii) Failing to attend the hearing of the case without sufficient reason and prior information;
- (iv) Threatening, intimidating or abusing any of the Corporation's employees, officers, or representatives;
- (v) Committing an act tantamounting to contempt of Court or professional mis-conduct;
- (vi) Conviction of the Advocate in any offence resulting into arrest or detention or disbarment by the Bar Council;
- (vii) Passing on information relating to Corporation's case on the opposite parties or their advocates which is likely to cause damage to the Corporation's interests;
- (viii) Giving false or misleading information to the Corporation relating to the proceedings of the case;
- (ix) Frequent adjournment being obtained or not objecting the adjournment moved by other party without sufficient reason; and
- (x) Empanelment shall be liable to be cancelled due to occurring of any of the above disablements on the part of the Advocate, with a notice of 15 days.

10. Removal of Difficulty:

In the matter of implementation of these guidelines, if any, doubt or difficulty arises or doubt regarding the interpretation of any of the clause of this Notice, the same shall be placed before the Corporation and the decision of the Corporation thereon shall be final. The Corporation in this contrast would mean **The Regional Director/In-charge, ESI Corporation, Goa.**



ANNEXURE-‘B’

APPLICATION FORM FOR EMPANELMENT OF ADVOCATES IN ESIC Goa
Before the High Court of Bombay at Goa & In the Court of the Employees Insurance Court
cum Principal District Judge, Margao, South Goa, Goa.

(TO BE FILLED IN BY APPLICANT ADVOCATES)

To,
The Regional Director I/c,
ESI Corporation, Regional Office,
Panchdeep Bhawan,
EDC Plot No. 23, Patto,
Panaji, Goa-403001.

Photo

Court for which applied (Specify Court wise)		
<u>CHECKLIST</u>		
<u>List of documents attached (please)</u>		
Copy of all certificates & mark-sheets (Graduation onwards)		
Copy of Bar Council Registration		
Experience Certificates		
Duly filled Annexure B		
Others (Please specify): 1.		
2.		
3.		
PERSONAL DETAILS (IN BLOCK LETTERS)		
1	Name in Full	
2	Date of Birth	
3	Nationality	
4	Address for correspondence with PIN and Phone No.	
5	Permanent Address with PIN and phone No.	
6	Address of office/chamber, if any, with PIN and Phone No.	
7	Mobile No.(s) Email ID	
8	Are you related to any ESIC employees? If so, please give details (viz. Name, designation, place of work & relationship with the applicant)	

9. Details of Educational qualification (Commencing with the Graduation or equivalent examination)

Examinations Passed	Name of the Board/ University	Class or division	%of marks	Subjects	Year of Passing
LLB/ Law Graduate Degree					
Post-Graduation					
Other Professional Qualifications					

10. 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

11. 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

12. If one or more advocates are associated as juniors of the applicant, their details be provided below

S. No.	Name of the advocates	Enrolment No. with date

13. Infrastructural facilities available with the applicant (Please if available) be provided below:

Office Space	Office Clerk	Steno/Typist	Support staff

14. No. of cases relating to ESIC handled earlier

Sl. No.	Title of case 9 Documentary proof must be attached)

15. Whether the applicant has been engaged (through Vakalatnama) as counsel in any landmark 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

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

17. Details of Bank Account/PAN Number/ Aadhar number be provided below. (please attach copies)

Bank Account Details (Bank Account Number, Address of the Branch and IFSC Code)	PAN number	Aadhar Number

18. 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

19. 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	Findings made by the Court

20. Any additional professional qualifications (s) which will further the candidature, including membership of professional society, awards and honour's 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 completes 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 ESIC as required under the Act, Rules and Regulations there under.
- 3) I also undertake to return all case files and records to the ESIC as and when required by ESIC,
- 4) I agree with the fee schedule notified by ESIC.

Place:

Signature of the Advocate:

Date:

Enrolment number:

Mobile number: