



GUJARAT REGIONAL OFFICE
EMPLOYEES' STATE INSURANCE CORPORATION
(Ministry of Labour & Employment, Govt. of India)
PANCHDEEP BHAVAN, ASHRAM ROAD, AHMEDABAD-380014.
Telephone :- 079-27582400/450 Fax:- 079-27540498
Website :- www.esic.nic.in E-mail:- rd-gujrat@esic.in

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Date :- 11.06.2018
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DETAILED ADVERTISEMENT NO. 01/2018

Notice Inviting Application for Empanelment of Advocates Employees' State Insurance Corporation, Gujarat Region

The Regional Director, Employees' State Insurance Corporation, Gujarat Region invites application from the competent practicing Advocates for engagement as Panel Counsel(s) to represent ESI Corporation, Gujarat before Hon'ble Central Administrative Tribunal (CAT) and Hon'ble High Court in the State of Gujarat. Eligible practicing advocate may submit application alongwith all supporting documents in a sealed envelope to "The Regional Director, Employees' State Insurance Corporation, Panchdeep Bhavan, Ashram Road, Ahmedabad - 380014" latest by 20.06.2018 upto 06:00 P.M. The envelope should be superscripted with '*Application for Empanelment of Advocate for Central Administrative Tribunal and High Court for the state of Gujarat.*'

Terms & Conditions of empanlement 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.
- (v). Advocate should have necessary infrastructure such as Chamber, Library, Phone / Mobile, FAX, E-mail ID (mandatory) etc.
- (vi). Advocate should update progress of the cases on regular basis to the concerned officers. Further, Advocate should also submit a monthly report of cases dealt by him / her to this office clearly stating that status of all pending cases along with actions to be taken if any, by this office.
- (vii). The empanelled Advocate should attend the Regional Office, ESIC, Ahmedabad on regular basis for discussion and necessary Opinion as and when required and directed. Refusal to attend this office when specifically directed, may entail removal of such advocate without assigning any reason thereof.
- (viii). The Advocates who are already on the existing panel of this office shall cease to be on the panel after the new panel is finalized against this notice. However, they are required to continue with the pending cases, as already entrusted to them, till the finalization. All such existing advocates need to apply afresh for fresh empanelment.

3. Tenure /term of Empanelment :

The initial empanelment will be for **two** 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.

4. Procedure for Empanelment:

The Regional Director, ESIC, Gujarat 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. Bio Data as per Annexure 'A' with photograph attached on it.
- ii. Matriculation certificate / Birth certificate in support of Age.
- iii. Certificate of Registration with Bar Council.
- iv. Identity Card issued by Bar Association/Bar Council.
- v. Certificates in support of educational qualification.
- vi. Full details of experience in the field of handling court cases of Central Government Service matters.
- vii. An undertaking from the advocates to the effect that all information furnished by him/her is correct.
- viii. Photocopy of PAN Card & Aadhar Card.

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.

7. 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.

8. 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.

9. Removal of Difficulty :-

In the matter of implementation of these guidelines, if any, doubt or difficulty arises or doubt regarding the interpretation of any 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, ESI Corporation, Panchdeep Bhavan, Ashram Road, Ahmedabad-380014. (Gujarat.)


(Akshay Kala)
Regional Director