

4.1 Eligibility

Advocate(s) willing to abide by the terms and conditions of the Bank viz., fees, charges, submission of pleadings for approval etc. should be taken on panel. In case of empanelment of Firms, at least one of the partners / associates should fulfil the eligibility criteria. While empanelling the Advocates, the competency and professional efficiency of the Advocates proposed to be empanelled in the area of banking should be critically evaluated and should not be compromised under any circumstances. Eligibility criteria for empanelment shall be as under –

- a. **Enrolled as Advocate-** The name of the practising Advocate(s) whose name is on the roll of the concerned State Bar Council as per the Bar Council of India Certificate of Practice and Renewal Rules, 2014 shall be considered by the Bank to be taken on the Panel for the Branch / Zone situated in that state.
- b. **Experience-** Advocate or partners of the firm of good repute and having sheer practice at Bar for not less than five years, as on the date of applying for selection on Bank's Panel, should be selected.

The individual Advocate or partners of the firm should be of good repute and have experience in attending to commercial matters and should also be familiar with Banking Law & Practice as well as special laws governing recovery of moneys due to the Bank and should bestow personal attention to the work entrusted. Further, Advocates practicing in specialized areas such as Income tax matters, Labour Law matters, criminal matters, Cyber Law, MRTTP etc. will also be considered for empanelment based upon the requirement in the area.

A Law Officer worked in a Bank/PSU or a Judicial Officer for a period of at least 3 years is eligible to be taken on panel. The experience as a law officer of a Bank/PSU or as a Judicial Officer will be considered for the purpose. In such case, the period of (5) Five years of experience as an advocate as stated above will be relaxed.

- c. Efficiency and integrity should be the main criteria for selection on Bank's Panel.
- d. Other things being equal, special endeavourr should be made to include Advocates belonging to SC/ST/OBC/Women / Minority community in the panel without compromising on quality.
- e. The Advocate should have a "clean track record"-
 - i) An Advocate who has been convicted of an offence or against whom any criminal proceeding is contemplated or has been initiated shall not be considered for empanelment.

- ii) An Advocate who has been depanelled/delisted by any Bank/Financial Institution / any other organisation because of professional misconduct shall also not be considered for empanelment.

- f. Here, it is made clear that in case any Advocate / Firm empanelled with Bank (i.e. at any Branch / Zone) is having a pan-India presence, then their services may be utilised by any other Branch/Zone subject to fulfilment of necessary formality of registration with the appropriate Authority for practicing in the concerned State / place.

- g. Further, the Advocate on panel will not use/display Bank's logo, name or symbol in their letter- heads, sign boards, name plates etc. as panel lawyer of Bank.

4.2 Disqualification of Advocates

The following are the main grounds for dis-qualification/de-panelment of any advocates. They should be careful on the following aspects :-

- Giving false information in the application for empanelment.
- Handing over the brief to any associate/Junior without prior written consent of Bank.
- Failing to attend the hearing without prior intimation and permission of Bank.
- Not acting as per the instruction of Bank/Law Officer or going against the specific instruction of Bank.
- Not returning the brief when demanded or not allowing or evading to allow the information on demand.
- Misappropriation of Bank's Fund (Such as funds given for purchase of stamp duty, payment of Court Fees etc.).
- Threatening, intimidating or abusing any of the Executive, Officer or representative of Bank.
- Making Advocate or any of his associate or Junior to appear against the Bank in any case.
- Committing any act that tantamount to contempt of Court or Professional Misconduct.
- Not to confirm the Bank or to remain in Bank's panel although being debarred by the Bar Council.
- Passing on information relating to Bank's case to the opposite party or to third party which is likely to cause damage to the interest of Bank.
- Giving false or misleading information to Bank relating to the proceeding.
- Seeking adjournments (more than three times) without the prior written permission of Bank.
- If performance of advocate is not satisfactory.
- If any advocate or Junior or any associates takes or intends to gratify in Banks case (Hereby collects any remuneration from any person in relation to Bank's case)