



बड़ौदा यू.पी. बैंक Baroda U.P. Bank

Requirement of Advocates for empanelment in Bank's Panel

SCHEDULE OF EVENTS:

Last date for submission of Application	10.05.2021
Address for Submission of Application	As per Annexure - A

A. INTRODUCTION :

Baroda U.P. Bank, a Regional Rural Bank sponsored by Bank of Baroda with Head Office at Gorakhpur (U.P.) came into existence on 01.04.2020 vide Government of India notification no. 3837 dated 26.11.2019 post amalgamation of three erstwhile Banks- Baroda Uttar Pradesh Gramin Bank, Kashi Gomti Samyut Gramin Bank and Purvanchal Bank. The Bank has a network of 1983 Branches spread across 31 districts of Uttar Pradesh.

The Bank being in financial business and advancement of loans requires NEC/ Title Clearance Report in respect of properties charged/ mortgaged. Further, the Bank has to face litigations in various Courts/ Tribunals/ District Commission etc. Thus, the Bank in its endeavour to mitigate the litigations and for NEC related work, is looking to engage experienced, proficient and result oriented Advocates for its various Regional Offices as set out in **Annexure 'A'** of this advertisement in order to avail their professional services at District/ Tehsil level.

Empanelment of Advocates will be done Tehsil/ District wise within a particular Region of the Bank. As such, **an Advocate has to apply for only one Tehsil/ District Court under the Region.** The empanelled Advocates will be inter alia entrusted with the following categories of work.

1. For obtaining NEC and other work at Tehsil level.
2. For Court cases pertaining to District Court/ District Consumer Disputes Redressal Commission etc.

However, an Advocate shall issue NEC in respect of only those Branches under the Tehsil for which he/ she has been empanelled.

B. ELIGIBILITY / CRITERIA FOR EMPANELMENT :

1. Qualification –

Essential

- i. The Advocate shall possess a degree in law from university recognized by the Bar Council of India and enrolled with the respective Bar council of State.
- ii. The Advocate shall have a minimum 5 years of standing practice at the Bar.
- iii. The applicant should be a practicing Advocate in the Court placed in the region for which he/ she is applying.
- iv. The Advocate should have expertise in -
 - Documentation, title search, Banking Laws
 - Recovery litigation before Courts including SARFAESIA
 - Consumer Forum cases
 - Criminal Complaints, Complaints U/s 138 of N. I. Act
- v. The advocate should be of undoubted legal acumen and unblemished integrity and has not been depanelled from any other Bank/Financial Institution.

Desirable

- i. Length of practice and specialization in the area of law beneficial to the Bank.
- ii. Empanelment with other Banks including erstwhile Bank/ FIs/ PSUs/ Central / State Governments, etc.
- iii. Proper and adequate infrastructure such as Land Line Phone, independent office space, internet connection, number of junior advocates attached, clerks, etc.

C. FORMAT AND SUBMISSION OF APPLICATION:

The willing Advocates who meet the aforesaid criteria and agree to abide by the terms and conditions contained herein should furnish information as per **Annexure- 'B'** of this advertisement. Applicant should comprehensively describe his/ her experience. Any additional detail which applicant may desire to provide, be sent as an annexure along with the application.

The application strictly in the aforesaid format should be typed on A4 size paper, securely bound with all the enclosures mentioned therein in serial order. All pages of the application should bear the signature and rubber stamp of the applicant. Any interlineations, erases or overwriting shall be valid only if the applicant signs and authenticates them.

The duly filled application form along with self attested copy of the requisite documents should be sent in sealed envelope superscripted as: "**Application for empanelment in Bank's Panel of Advocates**", by post to the concerned Regional Office (listed in

Annexure-'A') of the area where the Advocate practices, **so as to reach the concerned office on or before 10.05.2021**. Please note that any other mode of application will not be entertained.

It is advisable that the applicant should send his/ her application within the time line. **Applications received after the specified date i.e. 10.05.2021 will not be entertained at all.** Request for extension of date for submission of application will not be entertained. However, the Bank at its discretion may extend the deadline if felt necessary, which will be notified on the Bank's website.

The application should be addressed to:

“ The Regional Manager, Baroda U.P. Bank, Regional Office.....(complete address) ”

D. PROCEDURE FOR EMPANELMENT:

- i. The applications received by the specified date will be scrutinized by the respective Regional Offices to determine if they meet eligibility criteria/ terms and conditions mentioned in this advertisement including its subsequent amendment(s), if any, and whether the applications are complete in all respects.
- ii. On scrutiny, any application not found in desired format/ not supported with copy of self attested documents/ illegible/ incomplete/ not containing clear information, or failing to fulfil the relevant requirement, will be rejected for further evaluation process at the sole discretion of the Bank.
- iii. The applications will be scrutinized by the Bank purely on merit and after conducting due diligence, the applications which are complete in all aspects and in conformity with the requirements of the Bank as per the Policy, shall be considered.
- iv. Only those applicants will be informed by the Bank whose applications are shortlisted for empanelment. **The applicants who are not shortlisted for empanelment will not be informed by the Bank.** Further, such applicants will not be provided with information about comparative position of their applications with that of others.
- v. **Empanelment shall be at the sole and absolute discretion of the Bank and mere application for empanelment would not confer any right for empanelment and no correspondence whatsoever from the applicants will be entertained as to the fate of empanelment.**
- vi. The Bank reserves the right, at any time, to waive any of the requirements of this request for empanelment if it is deemed in the interest of the Bank.
- vii. If deemed necessary, the Bank may seek clarifications on any aspect of application from the applicant. The Bank may also make enquiries to verify the past performance of the applicant.

- viii. While considering the applications, preference (subject to Bank's Policy) may be given to the Advocates who were previously empanelled in the erstwhile Banks (Baroda Uttar Pradesh Gramin Bank/ Kashi Gomti Samyut Gramin Bank / Purvanchal Bank).
- ix. Empanelment with other Banks/FIs/PSUs/Central / State Governments, etc. may be an added advantage. Further, the advocate should not have been black-listed / removed from panel by the erstwhile Banks or any other Institution/ Organization.
- x. The Bank at its sole discretion, if required, may call the applicant for interaction/ presentation before the Appropriate Authority before shortlisting. The applicants will have to bear their own costs for such interaction/ presentation. The Bank's decision in this regard will be final.

E. TENURE OF EMPANELMENT:

- i. The initial empanelment of the Advocate(s) will be for a period of three years subject to annual review of their performance by the Bank and accordingly the same may be renewed from time to time.
- ii. In case any court matter is pending with any panel advocate for disposal by any Court and his term is not renewed, Advocate concern should handle the said court matter till the disposal by the respective Court or withdrawn by the Bank for entrusting to other advocate and return the case file to bank.
- iii. Bank reserves the right to terminate the empanelment of any Advocate at any time without assigning any reason.

F. DUTIES AND RESPONSIBILITIES OF PANEL ADVOCATES IN RESPECT OF LITIGATION:

- i. Appearing before various courts/Tribunals/ District Commission etc. in respect of cases filed by and against the Bank as and when entrusted with the said case and plead on behalf of Bank protecting the interest of the Bank.
- ii. Intimate the day to day progress of the matter to the concerned office of the Bank.
- iii. Not to seek adjournments without any valid and cogent reasons.
- iv. Not to make any submission before the Court without prior instructions from the concerned office of the Bank.
- v. Not to appear either directly or through juniors /assistant advocates against the Bank.
- vi. Providing opinion (written / oral) on certain issues which are referred to them by the Bank.
- vii. Assisting the Bank in lodging FIR and other criminal matters whenever entrusted to them.
- viii. Attend to any other legal work whenever entrusted to them.

G. DUTIES AND RESPONSIBILITIES OF PANEL ADVOCATES IN RESPECT OF SCRUTINY OF TITLE:

- i. The Panel Advocate should undertake the job for search relating to encumbrance etc. of the property only after receipt of a communication from the concerned branch/office of the Bank.
- ii. The Panel Advocate should not accept Non Encumbrance Certificate from the customer for the purpose of availing loan from the Bank instead should obtain non encumbrance certificate on his own.
- iii. The Panel Advocate should verify the "Title Documents" in original before submitting his/ her report to concerned branch/office of the Bank.
- iv. The Panel Advocate should submit to the concerned branch/office of the Bank, the original receipts of deposit of "Fee for Search" in the Sub-Registrar Office/ Tehsil etc. along with his report.
- v. The Panel Advocate should point out any defect(s), whether legal or otherwise, in the "Title Documents" which is prima facie apparent/ manifest.
- vi. The Panel Advocate should himself verify the Registration records and revenue records of the property offered as security.
- vii. The Panel Advocate should inform the Bank regarding pendency of any litigation concerning the property, if it comes to his/ her knowledge at the time of search or at any time subsequent to furnishing the search report.
- viii. Panel advocate should not collect the fee for title scrutiny from the customers directly and should collect through Bank's branch only.
- ix. During the scrutiny in case, any further documents are required, the same to be intimated to the Bank and the same to be collected from the Bank's branch only.
- x. Title scrutiny report should be submitted to Bank's branch only but not to the customer/ borrower.

H. GENERAL TERMS AND CONDITIONS:

- i. Application for empanelment does not confer any right/ assurance whatsoever, to an applicant that he/ she will be empanelled on the Bank's panel.
- ii. The Bank reserves its rights to modify any part of this advertisement at any time prior to the deadline for receipt of application. Such change(s)/ modification(s), if any, may be in the form of an addendum/ corrigendum and will be uploaded on Bank's website. All such change(s) will automatically become part of this advertisement and be binding on all applicants. Interested applicants are advised to regularly refer the Bank's website.
- iii. No advocate as long as his name is in the panel and for a period of one year from the date of his / her ceasing to be on Bank's panel, shall contest any matter against the Bank. Approval in Bank's panel of Advocates does not amount to an appointment or right for an appointment and Bank is free to engage any Advocate of its choice and the empanelled Advocate cannot claim to be entrusted with Bank's work.
- iv. The Advocates empanelled shall maintain absolute secrecy and confidentiality about the cases of the Bank and other matters entrusted to them.
- v. The empanelled Advocate has to accept all the work assigned to him/ her and he/she cannot refuse to accept any assignment entrusted to him/ her. Refusal by any

Advocate to accept any work otherwise than on the ground of conflict of interest, may entail removal of such advocate from Bank's panel.

- vi. Wilful misrepresentation of any fact in the application will lead to the disqualification of the applicant without prejudice to other legal actions that Bank may take.
- vii. Bank reserves the right to accept or reject any application received without assigning any reason thereof whatsoever and the Bank's decision in this regard will be final. No contractual obligation whatsoever shall arise from the application process.
- viii. Any effort on the part of applicant to influence empanelment process may result in rejection of the application.
- ix. Bank will not be responsible for non-receipt of applications within the specified date due to any reason including postal delays or holidays in between.
- x. Bank shall have the right to cancel the empanelment process itself at any time, without thereby incurring any liabilities to the affected applicants.
- xi. Submission of application is evidence of an applicant's consent to comply with the terms and conditions of empanelment process. If an applicant/ advocate fails to comply with any of the aforementioned terms and conditions, his application/ empanelment may be summarily rejected.

I. FEE STRUCTURE:

The Schedule of Fees and charges payable to Advocates shall be as per Bank's extant guidelines issued from time to time.

J. DISCLAIMER:

Bank is not committed either contractually or in any other way to the applicants whose applications are accepted. The issue of this request for Application does not commit or otherwise oblige Bank to proceed with any part or steps of the process.

The Bank reserves the right to reject any application for empanelment without obligation.

Head Office: Gorakhpur
Date: 19.04.2021

GENERAL MANAGER

Annexure 'A'**LIST OF REGIONAL OFFICES:**

S. No.	Regional Office	Address
1	Allahabad	3-D, Tashkent Shkent Marg, Allahabad
2	Amethi	Plot No.837 (Near Piyush Petrol Pump), PO-Gauriganj, Amethi-227409
3	Bareilly	Samrath Complex, Munshinagar, Pilibhit Road, Bareilly-243001
4	Faizabad	Baldeo Niwas Compound, Acharya Narendera Deo Road,Reidganj,Faizabad-224001
5	Fatehpur	2 A, Gautam Nagar, ITI Road, Fatehpur
6	Kanpur Nagar	117/N/26, Kakadeo,Kanpur-208025
7	Kanpur Dehat	Kalpiroad,Nabipur, Post-Jainpur, Kanpur Dehat-209311
8	Kaushambi	Collectorate Compound, Manjhanpur, Kaushambi-212207
9	Pratapgarh	City Road,Pratapgarh-230001
10	Raebareli	151, Kirorimal Complex, Beliganj, Raebareli-229001
11	Shahjahanpur	Badujai-2, Near Town Hall,Shahjahanpur-242001
12	Sultanpur	123, Ishwardas Verma Memorial Complex, Gora Barik, Amahat, Lucknow Road, Sultanpur
13	Varanasi	J-12/140 D 1, Gulab Badi, Chaukachat, Varanasi-221002
14	Chandauli	Near Gupta Petrol Pump,Alinagar,Mugha Sarai,Chandauli

15	Jaunpur	Pawan Plaza Building, Husenabad, Civil Line, Post-Kutchery Jaunpur-222002
16	Azamgarh	2nd Floor of Damodar Bhawan, Near Chowk, Azamgarh-276001
17	MAU	Gazipur Tiraha, Near Girhast Plaza, Mau - 275101
18	Bhadohi	Tiwari Bhawan, Chauri Road, Near Indira Mill Chauraha, Bhadohi -221401
19	Ghazipur	Badi Bagh Lanka, Ghazipur-233001
20	Ballia-I	Indira Market Ballia-277001
21	Ballia-II	Indira Market Ballia-277001
22	Basti	Malviya Road Gandhi Nagar, Basti-272001
23	Naugarh	Uska Road, Naugarh-272208
24	Padrauna	Padrauna Chhawani Purvi Ward No-1 Pin-274304
25	Khalilabad	Khalilabad Main Road, Khalilabad-272175
26	Etawah	Near Deep Cinema, Pakka Bag Road, Opposite Sahkari Cold Storage Etawah-206001
27	Gorakhpur-I	Mohaddipur, Gorakhpur-273008
28	Gorakhpur-II	Mohaddipur, Gorakhpur-273008
29	Deoria	Zila Panchayat Bhawan, Civil Lines, Deoria - 274001
30	Maharajganj	Nichlaul Road Maharajganj-273303

Proforma for Bio-Data of applicant Advocate

(Please specify the Court/ ~~District~~ Tehsil where applicant is interested to be empanelled)

Please affix recent passport size photograph

1	Name	
2	Father's Name	
3	Date of Birth (age on date)	
4	Residential Address	
5	Official Address	
6	Telephone/ Mobile no.	
7	E-mail ID	
8	Income Tax Detail (PAN)	
9	Educational qualification	
10	Date of enrolment in Bar Council	
11	Registration no.	
12	Period of Experience	
13	Practicing at District High Court District Court / Tehsil	
14	Specification in Practice	
15	Empanelment in erstwhile Banks/other Banks/ Institutions (If yes, mention period)	
16	Have you been ever de-panelled/ removed by erstwhile Banks/ other PSB/ PSU/ Institutions etc. <i>at</i> any time? If yes, give Details	
17	Have you suffered any Professional Misconduct Proceedings before Bar Council or convicted in Criminal Matter? If yes, give details	

18	Details of Professional Achievements (including number of cases handled/ won in last one year in the erstwhile Bank in case of empanelled Advocates of erstwhile Banks), if any:	
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Declaration :-

1. I hereby confirm and declare that the information given hereinabove is true and correct to the best of my knowledge and belief. I hereby express my interest to act as Legal Counsel on behalf of the Bank.
2. Self attested copies of relevant supporting papers/ documents are attached as per sequence as appended:

- i. Copy of PAN card
- ii. Copy of Aadhaar
- iii. High School certificate in support of age
- iv. Registration with Bar council
- v. Identity Card issued by Bar Association / Bar Council
- vi. Copies of empanelment with other Bank / Govt. organization
- vii. Certificates in support of educational qualifications and experience

Yours faithfully,

(Name:.....)

Date :

Place :