



National Pension System Trust
Tower B, B-302, Third Floor,
World Trade Center,
Nauroji Nagar, New Delhi-
110029

राष्ट्रीय पेंशन प्रणाली न्यास
बी-टावर/ बी-302, तृतीय तल,
वर्ल्ड ट्रेड सेंटर
नौरोजी नगर, नई दिल्ली -110029

Advt. No. NPST/16/11/5/2024-LEGAL

Date:04/04/2026

NOTICE

Empanelment of Advocates/Law Firms to represent the National Pension System Trust before various Courts, Tribunals and Judicial Forums

A panel of Advocates/Firms for representing the **National Pension System Trust** before various Courts, Tribunals and Judicial/ Quasi-judicial Forums is to be constituted. In this regard, Law Firms and Advocates are eligible for empanelment.

The qualification, experience, other terms and conditions and the proforma application in which the application has to be made, have been prescribed by the **National Pension System Trust**, New Delhi *vide* its **Guidelines for empanelment of Advocates/law firms for representing and assisting the National Pension System Trust before various Courts, Tribunals and Judicial Forums** available on the NPS Trust's website at www.npstrust.org.in

Eligible applicants may send their applications to National Pension System Trust, Tower B, B-302, World Trade Centre, Nauroji Nagar, New Delhi – 110029 within 30 days from the date of the advertisement.

Important Notes:

Advocates/Law Firms currently engaged by NPS Trust and Advocates/ Law Firms who have forwarded their applications/CVs to the NPS Trust from time to time for empanelment are requested to apply afresh in the requisite format as per the Guidelines.



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Guidelines for empanelment of Advocates/law firms for representing and assisting the National Pension System Trust before various Courts, Tribunals and Forums

The National Pension System Trust (NPS Trust) was established by the Pension Fund Regulatory and Development Authority (PFRDA) as per the provisions of the Indian Trusts Act, 1882, for taking care of the assets and funds under the National Pension System (NPS) and other schemes as authorised by PFRDA in the best interest of the subscribers. The powers, functions and duties of NPS Trust are laid down under the PFRDA (National Pension System Trust) Regulations 2015, besides the provisions of the Trust deed dated 27.02.2008. NPS Trust is the registered owner of all assets under the NPS architecture which are held for the benefit of the subscribers. For more information, please visit the website <https://npstrust.org.in>.

NPS Trust is managed by a Board of Trustees appointed by the PFRDA from time to time. The Board of Trustees has the legal ownership of the Trust and of the funds held by it.

1. Definitions

For the purpose of these Guidelines, the terms used will have the following meaning:

- i. 'Advocate' means an Advocate, entered in any roll of Advocate under the provisions of the Advocates Act, 1961.
- ii. 'Court' shall mean and include Supreme Court, High Courts, Subordinate Courts or tribunals including Securities Appellate Tribunal/Central Administrative Tribunals, other tribunals, commissions, authorities, Quasi-Judicial Authorities etc.
- iii. 'Effective Hearing' shall mean a hearing in which either one or both or all the parties involved in a case are heard by the court. If the matter is called in its turn and the Advocate is present to represent NPS Trust and the Court/Tribunal/Forum listens to the submissions made by him or by other side or by both and if, thereafter, the Court/Tribunal/Forum adjourns the matter, that will be treated as effective hearing. If the case is only mentioned and adjourned or only directions are given or judgement is pronounced, it would not constitute an effective hearing for the purpose of these guidelines but as non-effective hearing.
- iv. 'Similar Cases' shall mean two or more cases in which identical or substantially similar questions of law or facts are involved.



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2. General Terms

- i. The size of the panel and number of Advocates/Law Firm in panel shall be determined by the NPS Trust based on the requirement and quantum of work.
- ii. Every panel will consist of Advocates/Law Firm from diversified fields covering knowledge of areas *viz.* PFRDA Act and rules and regulations issued thereunder, constitutional law, service law, contract law, succession laws, commercial law, securities law, banking law, insurance law, taxation law, etc.
- iii. For the purposes of empanelment and for engagement of professional services, requisite knowledge in relation to the National Pension System and other pension schemes within the jurisdiction of PFRDA and in-depth knowledge of PFRDA Act, 2013 and Rules and Regulations issued thereunder, as also knowledge and experience in fields mentioned in point 2 (ii) and other securities law shall be required at all times.
- iv. The allocation of cases/legal work shall be at the sole discretion of NPS Trust. Notwithstanding such empanelment, NPS Trust shall be free and without any restriction to assign cases/legal assignment to any other legal professional or Advocate who is not empanelled by it.
- v. Empanelment will only confer a right to be considered for legal assignment, if any, and not bind NPS Trust to award or give work to any Advocate/Law Firm, so empanelled, at any point of time during the term of engagement.
- vi. Upon termination or non-renewal of term of empanelment, as the case may be, the Advocate/Law Firm shall return the brief(s) allocated to the Advocate/Law Firm by the NPS Trust along with all other documents/records connected thereto, if so required. No Advocate/Law Firm shall have the right to represent NPS Trust or undertake any activity upon expiry or termination of the term of engagement.
- vii. Cases involving similar issues/points of law or otherwise interlinked or clubbed may be entrusted to the same Advocate/Law Firm as far as possible.
- viii. The empanelled Advocates shall not delegate cases and shall themselves deal with the same. NPS Trust may engage Senior Advocate for any legal assignment at its discretion.
- ix. They may have to coordinate and work with designated Senior Advocates, if any, engaged in the case as well as with the officers of the NPS Trust, if required.
- x. The empanelled Advocates shall not be employees of the NPS Trust and therefore, shall not be eligible for any benefits available to the employees of the NPS Trust.
- xi. The empanelled Advocate/Law Firm shall not use NPS Trust's name, logo, symbol, etc. on their letterhead, signboard, nameplate, pamphlets, etc., such as 'Legal Advisor of NPS



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Trust', 'Advocate of NPS Trust', etc. No empanelled Advocate shall represent himself as the Standing Counsel of the NPS Trust before any court or forum unless specified as such by the NPS Trust.

- xii. The Advocate/Law Firm shall ensure efficient and effective professional services and bestow commensurate attention in relation to matters of NPS Trust and conduct himself at all times in accordance with the Advocates Act, 1961 and rules laid down by the Bar Council of India, including rules regarding code of conduct and ethics.
- xiii. The Advocate/Law Firm shall before the due date of hearing discuss the case with NPS Trust on the course of action to be adopted. The Advocate/Law Firm while pursuing any case on behalf of the NPS Trust shall not act without instructions of the NPS Trust and inform the NPS Trust about the proceedings of each hearing by reporting via e-mail and furnish copy of orders of each date without which the NPS Trust may not settle the bills of payment.
- xiv. The Advocate/Law Firm shall not seek any adjournment without any valid or cogent reasons. Under no circumstances, the matters entrusted by the NPS Trust should go unattended before the Court/Tribunal/ Forum, which shall be viewed as serious violation of conditions of empanelment and may entail taking back the brief or cancellation of such empanelment.
- xv. The performance of each empanelled Advocate/Law Firm shall be reviewed periodically based on which an assessment shall be made about the continuation of empanelment. The decision of the NPS Trust in this regard shall be final.
- xvi. The empanelled Advocate/Law Firm shall maintain strict confidentiality of the cases or other matters handled on behalf of the NPS Trust and shall not divulge any information to any third party or to the media. Any Advocate/Law Firm who is found to have violated the above condition shall be liable to have his empanelment cancelled immediately without further notice.
- xvii. Refusal of any empanelled Advocate/Law Firm to take up a matter in behalf of the NPS Trust, without proper justification or grounds, shall entail cancellation/withdrawal of engagement.
- xviii. The NPS Trust 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/Law firm. The Advocates/Law Firm shall in full accept the terms and conditions of the empanelment as determined by the NPS Trust from time to time.



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- xix. The Advocate/Law Firm should have an office at the place where empanelment is sought. The Advocate/Law Firm should have adequate infrastructure in terms of accessible office, chambers, library, manpower, etc. which shall be considered at all times.
- xx. The Advocate should have excellent communication skills.
- xxi. In case of empanelment of Law Firms, all the terms and conditions for empanelment of the individual Advocates shall apply *mutatis mutandis* to them.
- xxii. Law firms should have sufficient legal professionals to form a dedicated team comprising associates/senior associates and partners, who have rich experience in litigations/drafting particularly regarding financial and regulatory matters.
- xxiii. The shortlisted Advocates/Law Firm may, if necessary, may be called for interaction and an intimation in this regard will be communicated to the Advocate/Law Firm on his correspondence address or email address provided by the Advocate/Law Firm. No TA/DA will be admissible for attending such interaction.
- xxiv. NPS Trust reserves the right to accept or reject any application without assigning any reason or to postpone or cancel the entire process. The decision of NPS Trust on empanelment shall be final and binding.
- xxv. If required and considered appropriate by the NPS Trust, Attorney General of India/Solicitor General of India/Additional Solicitor General/Advocate General/Designated Senior Advocates may be engaged to represent/provide opinions the cases on behalf of the NPS Trust keeping in view the urgency and importance of a particular matter. They shall be engaged on case-to-case basis with the approval of the NPS Trust.
- xxvi. An Advocate/Law Firm can be engaged from outside the panel of the NPS Trust, against a fee which is higher than that prescribed by NPS Trust, if his/her engagement for litigation is considered desirable to protect or promote the best interest of NPS Trust.

3. Broad Scope of Work

- i. To represent NPS Trust before the Honourable Supreme Court of India, High Courts, Subordinate Courts and tribunals including Securities Appellate Tribunal, Central Administrative Tribunal, other tribunals, commissions, authorities, etc.;
- ii. To represent NPS Trust before various Arbitrator/ Arbitration Tribunals in disputes which are referred by the Courts or by the choice of the parties to the dispute;



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- iii. Drafting and vetting of affidavits, applications, petitions, replies, written statements, replications, rejoinders, caveats, brief for opinion and any other legal document including deeds, regulations, agreements, RFPs etc.;
- iv. To provide legal opinion on queries raised;
- v. To prepare and/or vet MoUs, agreements/contracts/RFPs/Tenders/EOI/letters and other documents;
- vi. Keep NPS Trust informed of the date-wise developments in cases, particularly with regards to settling of drafts, filing of papers, dates of hearing of cases, supplying copies of judgements/interim orders;
- vii. After every date of hearing, the Advocate/Law Firm shall inform NPS Trust of the court proceedings and order of the relevant hearing.
- viii. To perform such other duties of legal nature that may be assigned by the NPS Trust;

4. Tenure/Term of Empanelment

The initial empanelment will be for a period of Five years or until further renewal, whichever is earlier. Renewal for another term of three years shall be based on satisfactory performance and handling of assignment awarded by NPS Trust. The NPS Trust reserves the right to terminate the empanelment of any Advocate/Law Firm at any time without assigning any reason. The empanelment shall not confer any right for engagement and/or allocation of assignment.

5. Eligibility for Empanelment

- i. The Advocate should have a Bachelor Degree in Law from a recognized university and registration with a Bar Council. The Advocate-on-Record should have been registered with the Supreme Court of India as such;
- ii. The Advocates should be familiar with various branches of law, especially those concerning PFRDA Act, 2013 and the rules and regulations issued under the Act, Constitutional Law, securities law, laws in the financial sector including banking and insurance, in-depth knowledge of investigation and inquiry, Service Law, Labour Law, Contract Law, Commercial Law, Property Law, civil law Taxation, Arbitration, etc.;
- iii. In addition to above, the Advocates are required to have the minimum court practice experience as under:
 - a) For empanelment in the Supreme Court: 10 years' experience in the Supreme Court of India;



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- b) For empanelment in the High Courts / SAT: 7 years' experience in the High Court / SAT;
- c) For empanelment in the Subordinate Courts / Tribunals: 5 years' experience in the Subordinate Courts / Tribunals;
- d) In case of law firms, the managing partner and one another senior partner of the firm should have at least 10 years of practice each.
- e) The Advocates/law firms should not have been debarred / de-empanelled by any Bank, RBI, IBA, Central or State Government Departments and organization and /or other institutions in India due to non- performance, in last three (3) years preceding the empanelment by NPS Trust;
- f) Advocates/law firms empanelled with regulators, government financial institutions, State / Central Government departments, PSUs and possessing comprehensive knowledge of the legal processes may be preferred.

Provided further that an Advocate-on-Record of the Supreme Court who practices regularly would be considered if they are otherwise found to be competent and suitable.

6. Payment of Fee and Other Conditions

- i. The fee payable shall be governed by the Schedule of Fee structure as approved by NPS Trust and as amended from time to time;
- ii. The Schedule of Fee, as approved by NPS Trust and as amended from time to time, shall provide the maximum fee payable and the NPS Trust shall have the right to negotiate a lower fee based upon its assessment of the importance of the case, urgency and other factors. The decision on quantum of fee payable by NPS Trust shall be final and binding in this regard;
- iii. Where two or more cases are substantially identical or similar questions of laws and facts are involved or arises out of the same action, proceedings or where matters are connected or heard together and common or identical judgement is delivered, irrespective of the fact whether all the cases are heard together or not, the Advocate/Law Firm shall be paid the full fee in the main case and 50% of the fee in each of the connected case(s);
- iv. If more than one matter of similar or different nature is listed in the same court on the same day, the Advocate/Law Firm shall be paid full fee, as entitled, in the first case and 50% of the fee, as entitled, in each of the other case(s);
- v. If a Senior Advocate of extraordinary repute is engaged to defend or contest any case of NPS Trust, the fee payable to him will be negotiated in advance and prior approval of the NPS Trust shall be taken before such engagement;
- vi. The fee schedule may be revised by the NPS Trust, as and when deemed necessary;



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- vii. The Advocate/Law Firm shall not be paid any additional fees for providing legal opinion pertaining to the result of a case where the said Advocate had represented the NPS Trust;
- viii. No retainer fee shall be paid to any panel Advocate/Law Firm merely because such Advocate/Law Firm has been empanelled;
- ix. All the invoices pertaining to the cases engaged shall be submitted by the empanelled Advocate /Law Firm within 30 days from the date of hearing / award along with all reports / details pertaining to the case. In case of any delay, sufficient reasons must be provided to NPS Trust, whose decision shall be final and binding.

7. Documents to be submitted by the Advocate

The Advocates will be required to furnish the following documents along with the application in a sealed envelope with clearly marked "Application for Empanelment as Advocate" on it to the address specified in the Notice/Advertisement:

- i. Copy of Law Degree and other qualifications;
- ii. Copy of Registration Certificate Issued by the Bar Council;
- iii. Copy of Identity Card issued by the Bar Association;
- iv. Copy of ID Proof;
- v. Copies of 10 judgements where the Advocate/Law Firm has appeared as pleader;
- vi. Copies of Empanelment Letter issued by other Authorities/entities in favour of the Advocate;
- vii. Resume' with a brief profile of experience, background, education, list of clients and nature of cases dealt with;
- viii. Two recent coloured passport size photographs;
- ix. Copy of Income Tax Returns for last two financial years.

Provided that:

- i. No application sent through email will be entertained for empanelment;
- ii. The applications received will be short listed. The NPS Trust reserves the right to decide the criteria of short-listing. Preference shall be given to law firms/Advocates who are specializing/ have experience in handling matters relating to financial sector or are empanelled or handling cases of financial sector regulators like RBI/SEBI/IRDAI/PFRDA and practicing in the field of pension sector and securities market. With reference to empanelment in service matters preference shall be given to



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Advocates specializing in service matters before Hon'ble CAT/High Court/Supreme Court of India;

- iii. Advocates/Law Firms who are empanelled shall be informed about such empanelment as and when the process is complete. There shall be no obligation on NPS Trust to complete the process within any specified time or limit. NPS Trust shall not entertain any request or query from any desirous applicants on the status of their empanelment at any time.

8. Communication of Empanelment

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

9. Right to Private Practice and Restrictions

- i. An Advocate/Law Firm 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 empanelled Advocate of the NPS Trust;
- ii. An Advocate/Law Firm shall not advise any party or accept any case against the NPS Trust in which he has appeared or is likely to be called upon to appear or advice.

10. Disablements

Disablement on the part of the Advocate/Law Firm shall mean and include any of the following:

- i. Giving false information in the application for empanelment;
- ii. Handing over the brief or matter to another Advocate/Law Firm without prior written permission of the NPS Trust;
- iii. Failing to attend the hearing of the case without sufficient reason and prior information;
- iv. Not acting as per the NPS Trust's instructions or going against the specific instructions;
- v. Not returning the brief when demanded or not allowing or evading to allow its inspection on demand;
- vi. Threatening, intimidating or abusing any of the NPS Trust's employees, officers or representatives;



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- vii. Making himself or any of his associates or juniors to appear on behalf of any of the opposite parties in cases related to NPS Trust without the NPS Trust's permission;
- viii. Committing an act tantamounting to contempt of court or professional misconduct;
- ix. Conviction of Advocate in any offence resulting in arrest or detention or disbarment by the Bar Council;
- x. Passing on information relating to the NPS Trust's case to opposite parties or their Advocates/Law Firm which is likely to cause damage to the NPS Trust's interests;
- xi. Giving false or misleading information to the NPS Trust relating to the proceedings of the case; and
- xii. Frequent adjournment being obtained or not objecting the adjournment moved by other party without sufficient reasons.

Empanelment shall be liable to be cancelled due to occurrence of any of the above disablements on the part of the Advocate.

11. DUTIES OF THE EMPANELLED ADVOCATES

- i. The Advocate/Law Firm shall not advise any party or accept any case against NPS Trust in which he/she appeared or is likely to be called upon to appear for or advise which is likely to affect or lead to litigation against NPS Trust;
- ii. Timely appearance of the Advocate /Law Firm to contest the cases for NPS Trust in the Court is a must. His/her absence in the Court, without any reasonable ground and notice in advance, will not be accepted;
- iii. NPS Trust sends the information to the panel Advocates /Law Firm(s) through e-mail regarding entrustment of a case and after receiving the e-mail, it is duty of the Panel Advocates to collect the brief/copy of petition along with assignment letter from NPS Trust at the earliest;
- iv. NPS Trust is free to engage any Advocate /Law Firm of its own choice and an empanelled Advocate shall make no claim that he/she alone would be entrusted with NPS Trust's legal matter (s);
- v. Refusal by any Advocate/Law Firm 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;
- vi. The Advocates/Law Firm shall accept the terms and conditions of the empanelment as determined by NPS Trust from time to time;



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- vii. In order to ensure that there is effective check on the cases being conducted, the Advocates/Law Firm on the Panel must report the status of the cases after each date of hearing. Failure to submit status report will be ground for removal of the name of the lawyer concerned from the panel;
- viii. Keep NPS Trust 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.;
- ix. Furnish monthly statement about the cases represented by him/her/the firm;
- x. When any case attended by him/her/the firm is decided against NPS Trust, the Advocate / firm concerned must give considered opinion regarding the reasons for such adverse order and the advisability of filing an appeal from such a decision not later than 5 working days of the order (Kuchha Copy).

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 the NPS Trust of NPS Trust shall be final.

Disputes, if any, in relation to empanelment or out of the process shall be subject to exclusive jurisdiction of courts of New Delhi only.

13. Relaxation of any terms and conditions

NPS Trust shall have the power to relax any terms and conditions as per its organizational requirement.

ANNEXURE 'A'

FORMAT OF APPLICATION

The Chief General Manager (Legal)
National Pension System Trust,
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Sir,

Sub – Application for Empanelment as Advocate

- (1) Name of the Advocate/ Law Firm:
- (2). Copy of Law Degree and other Qualification:
- (3). Copy of Registration Certificate issued by the Bar Council and copy of Identity Card issued by the Bar Association:
- (4). In case of firm- date of Establishment/Formation of the Law Firm: (With documentary evidence/proof) of certificate of incorporation/partnership deed/LLP:
- (5). Copy of ID Proof:
- (6). Copies of 10 judgments where the Advocate/Law Firm has appeared as pleader:
- (7). Copies of Empanelment Letter issued by other Authorities/entities in favour of the Advocate:
- (8). Resume with a brief profile of experience, background, education, list of clients and nature of cases dealt with:
- (9). Total No. of Experience of the Advocate/ Law Firm (Managing partner and senior partners separately):
- (10). Area of Specialization: (Please choose any one (√) and provide judgments in support)

Property Law	Service and Labour Laws	Contract and Commercial Law	Civil Laws	Taxation Laws	Arbitration and Corporate Laws

- (11). Address Details:
- (12). Contact No. of the authorised person and Email Id.:
- (13). Name(s) of the Managing Partner(s) in case of firm:
- (14). Two recent coloured passport size photographs:
- (15). Copy of Income Tax Returns for last two financial years:
- (16) Names & Experience details/Profiles of the Partner & other team members:
- (17). Details of Following:
 - (i) GSTIN (in case of law firms)
 - (ii) PAN

I hereby declare that I have verified the details indicated above and also confirm that all the information submitted is true to the best of my knowledge.

I/we hereby agree to abide by the terms of empanelment of NPS Trust

Signature of Advocate:

Enrolment no. of Bar Council:

Address:

Tel./Mob. No.:

E-mail:

