रजिस्ट्री सं॰ डी॰ एल॰—(एन)04/0007/2003—23 REGISTERED NO. DL—(N)04/0007/2003—23

भारत का राजपत्र
The Gazette of India

सी.जी.-डी.एल.-अ.-08122023-250511
CG-DL-E-08122023-250511

असाधारण
EXTRAORDINARY
भाग II — खण्ड 1
PART II — Section 1
प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं॰ 41] नई दिल्ली, शुक्रवार, दिसम्बर 8, 2023/अग्रहायण 17, 1945 (शक)
No. 41] NEW DELHI, FRIDAY, DECEMBER 8, 2023/AGRAHAYANA 17, 1945 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

Initiative

MINISTRY OF LAW AND JUSTICE
(Legislative Department)

New Delhi, the 8*th December,* 2023/*Agrahayana* 17, 1945 (*Saka*)

The following Act of Parliament received the assent of the President on the 8th December, 2023 and is hereby published for general information:—

THE ADVOCATES (AMENDMENT) ACT, 2023
No. 33 of 2023

[8*th December*, 2023.]

An Act further to amend the Advocates Act, 1961.

BE it enacted by Parliament in the Seventy-fourth Year of the Republic of India as follows:—

1. (*1*) This Act may be called the Advocates (Amendment) Act, 2023. Short title and commencement.

(*2*) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Insertion of new section 45A.

2. After section 45 of the Advocates Act, 1961 (hereinafter referred to as the principal Act), the following section shall be inserted, namely:— 25 of 1961.

Power to frame and publish lists of touts.

'45A. (*1*) Every High Court, District Judge, Sessions Judge, District Magistrate, and every Revenue-officer, not being below the rank of a Collector of a district (each as regards their or his own Court and the Courts, if any, subordinate thereto) may frame and publish lists of persons proved to their or his satisfaction, or to the satisfaction of any subordinate Court as provided in sub-section (*3*) by evidence of general repute or otherwise, habitually to act as touts, and may, from time to time, alter and amend such lists.

Explanation.—The passing of a resolution, declaring any person to be or not to be a tout, by a majority of the members present at a meeting, specially convened for the purpose, of an association of persons entitled to practice as legal practitioners in any Court or revenue-office, shall be evidence of the general repute of such person for the purposes of this sub-section.

(*2*) No person's name shall be included in any such list until he shall have had an opportunity of showing cause against such inclusion.

(*3*) Any authority empowered under sub-section (*1*) to frame and publish a list of touts may send to any Court subordinate to such authority the names of any persons alleged or suspected to be touts, and order that Court to hold an inquiry in regard to such persons; and the subordinate Court shall thereupon hold an inquiry into the conduct of such persons and, after giving each such person an opportunity of showing cause as provided in sub-section (*2*), shall report to the authority which has ordered the inquiry the name of each such person who has been proved to the satisfaction of the subordinate Court to be a tout; and that authority may include the name of any such person in the list of touts framed and published by that authority:

Provided that such authority shall hear any such person who, before his name has been so included, appears before it and desires to be heard.

(*4*) A copy of every such list shall be kept hung up in every Court to which the same relates.

(*5*) The Court or Judge may, by general or special order, exclude from the precincts of the Court any person whose name is included in any such list.

(*6*) Any person who acts as a tout whilst his name is included in any such list shall be punishable with imprisonment which may extend to three months, or with fine which may extend to five hundred rupees, or with both.

(*7*) For the purposes of this section,—

(*a*) "Judge" means the presiding judicial officer in every Civil and Criminal Court, by whatever title he is designated;

(*b*) "subordinate Court" means all Courts subordinate to the High Court, including Courts of Small Causes established under any law for the time being in force;

(*c*) "revenue-office" includes all Courts (other than Civil Courts) trying suits under any law for the time being in force relating to landholders and their tenants or agents;

(*d*) "tout" means a person—

(*i*) who procures, in consideration of any remuneration moving from any legal practitioner, the employment of the legal practitioner in any legal business; or who proposes to any legal practitioner or to any person interested in any legal business to procure, in consideration of any remuneration moving from either of them, the employment of the legal practitioner in such business; or

(*ii*) who for the purposes of such procurement frequents the precincts of Civil or Criminal Courts or of revenue-offices, or railway stations, landing stages, lodging places or other places of public resort.'.

Amendment of section 50.

3. In section 50 of the principal Act, after sub-section (*5*), the following sub-section shall be inserted, namely:—

25 of 1961.
18 of 1879.

"(*6*) On the date on which section 45A of the Advocates Act, 1961 comes into force, sections 1, 3 and 36 of the Legal Practitioners Act, 1879 shall stand repealed.".

S.K.G. RAHATE,
Secretary to the Govt. of India.

IndiaCode

UPLOADED BY THE MANAGER, GOVERNMENT OF INDIA PRESS, MINTO ROAD, NEW DELHI–110002
AND PUBLISHED BY THE CONTROLLER OF PUBLICATIONS, DELHI–110054.

Kshitiz Mohan

MGIPMRND—454GI—08-12-2023.