BAR COUNCIL OF INDIA

RULES

(Under the Advocates Act, 1961)

IndiaCode

Part V-A

Notified in the Gazette of India
vide Part - III, Section - 4, New Delhi
13th January, 2015

Approved and adopted by the Bar Council of India at its meeting held on 29th & 30th November , 2014, vide resolution No. 216/2014

(Rules under Section 49(1)(ag), 49(ah) and 49(i) of the Advocates Act, 1961

TABLE OF CONTENTS

Chapter	Title	Page
	Extracts of the minutes of the meeting of general council of BCI held on 29th/30th November, 2014	1-6
Chapter I	Preliminary	7-9
Chapter II	Local Bar Associations	10
Chapter III		11-12
Chapter IV	Applications/Orders/Objection Petition with respect to grant/verification of Certificate and Place of Practice	13-17
Chapter V	Follow Up Action	18
Chapter VI	Consequences of Order Under Rule 13 and of failure to make applications	19-22
Chapter VII	Updating of the record of practicing and non-practicing and non-practicing advocates	23-24
Chapter VIII	Appeal, Revision Etc.	25-26
Chapter IX	Resumption of Practice	27-28
Chapter X	Process Fee Fund	29
Chapter XI	Miscellaneous	30-31
Form - A & F	For Advocates and Advocate on Records Application for issuance of Certificate of Practice	33-35
Form - "A"	Column - II	36
Form - "A"	Column - III	37
Form - "B"	For Office Use Onle	38
Form - "C"	Application for resumption of Certificate of Practice	39-41
Form - "D"	Identity Card	42
Form - "E"	For Senior Advocates	43

IndiaCode

BAR COUNCIL OF INDIA

NOTIFICATION

New Delhi, the 12th January, 2015

EXTRACTS OF THE MINUTES OF THE MEETING OF GENERAL COUNCIL OF BAR COUNCIL OF INDIA HELD ON 29th/30th NOVEMBER, 2014

IndiaCode

ITEM NO. 330/2014

The Council considered the Draft Rules with regard to verification of Certificate and Place of Practice of Advocates and to repeal the Bar Council of India Certificate of Practice and Renewal Rules, 2014 and passed the following resolution :-

Resolution No. 216/2014

(e) The Council resolves to modify the Resolution No. 169 of 2014(Item No. 276/2014) dated 17th October, 2014. The Council further resolves that Draft Rules with regard to Verification of Certificate and Place of Practice submitted by the sub-Committee be and is hereby approved. These new Rules shall be named as Bar Council of India Certificate and place of Practice(Verification) Rules 2015 depending on the year of its publication in the Gazette of India) and it shall come into force from the date of its publication in the Gazette of India. The Council further resolves to repeal Bar Council of India Certificate of Practice and Renewal Rules, 2014, accordingly the Bar Council of India Certificate of Practice Renewal Rules, 2014 stand repealed.

(f) Bar Council of India Certificate and Place of Practice

(Verification) Rules have been framed in exercise of powers conferred on Bar Council of India by section 49(1)(ag), 49(ah) and 49(i) of the Advocates Act, 1961 and in exercise of powers under Part-V Chapter 1, Rule 1(1) & 2 and Rule 2 of Bar Council of India Rules, Chapter III sub Rule 3, 4 and Part-IX Rule 17,18(h), 20,22,24 of Bar Council of India Rules.

******

BAR COUNCIL OF INDIA CERTIFICATE AND PLACE OF PRACTICE (VERIFICATION) RULES, 2015

Statement of objects and reasons

The legal profession is an Honorable one and it has critical role to play in protecting and promoting the Civil and Constitutional rights of the people. An independent and fearless Bar is vital and crucial for sustaining and promoting a true and healthy democracy. The Bar which is subject to manipulation and influence from extraneous powers, howsoever mighty and esteemed they may be, cannot do justice either to the Legal Profession or to the Rule of Law. Bench and Bar are the two wheels of a chariot and one cannot function without the other. Sadly, this profession has fallen under a cloud.

In the Joint Meeting of the representatives of all State Bar Councils and Bar Council of India, concerns were raised by all that trend of Advocates switching over to other professions/services/business without any information to the State Bar Council has reached alarming proportions. This trend is endangering the legal profession as a whole. It has also made a dent in its sanctity and standards. Names of such advocates continue to be included in the "Roll of advocates" being maintained by the State Bar Councils, notwithstanding the fact that they have left the legal profession or have since died. Though under section 19 of the Advocates Act, the State bar Councils are under legal obligation to send a copy of the Roll of advocates prepared by it under section 17 of the Act and subsequent alterations/additions thereto

but practically no state bar Council has observed this mandatory provision of the Act up till now.

Under these circumstances it appears that a definite trend is visible that the control of Bar Associations and of other elected bodies under the Advocates Act is slipping out of the hands of the advocates who practice law. It is also being experienced that after certificate of enrolment is issued to an advocate, practically no communicative and continuing contact survives between him and the Council.

Under the existing state of affairs, All India Bar Examination introduced on the directions/observations of the Supreme Court of India to improve the standard of legal profession has also failed to fully achieve its objective. Advocates enrolled with the State Bar Councils obtain "Provisional Certificate of Practice" (valid for 2 years) and thereafter most of them are practicing Law without caring to appear for All India Bar Examination and to pass it.

IndiaCode

Various welfare schemes for advocates have been floated in India both under State Legislations as well as under various welfare schemes framed by different State Bar Councils and by Bar Council of India but benefits there-under are being enjoyed by those also who have left the profession.

There is also an urgent need for laying down some conditions for practicing law in different Courts so as to give due weightage and credence to experience. Before an advocate could practice law in higher Courts, there is need that he is exposed to real court experience in lower Courts/trial Courts. This will help in integrating the whole judicial system from the perspective of the Bar.

Therefore, in order to achieve better and effective administrative and disciplinary control of the local Bar Associations, State Bar Councils and the Bar Council of India over the advocates entered on the Rolls of advocates being maintained by different State Bar Councils under section 22 of the Advocates Act and further in order to weed out advocates who have left practice, the Bar Council of India, in the exercise of powers conferred on it by section 49(1) (ag), 49 (ah) 49(i) of the Advocates Act, 1961 and by all other enabling and residuary powers vested in it, had brought the rules titled " Bar Council of India

Certificate of Practice and Renewal Rules, 2014" for the purposes of carrying into effect the provisions and objectives of the Act:-

But in some of the places, the Advocates raised objection with regard to the word Renewal, though in fact it is not the renewal of enrolment, rather it aimed at periodical verification of the details of an Advocate already enrolled with some State Bar Council. The aim was/is only to verify the place where the Advocate normally practices, the Bar Association of which he is a member (if any), the address/ email id, enrolment number/year, the Institutions from which the Advocate has passed his Graduation and LL.B. The purpose is the maintenance of record of all the Advocates of the country; two passport size photographs of Advocate was/is also required to be furnished to the State Bar Council. The other object was/is also to introduce certain electoral reforms in the Bar Council/Bar Association elections, because in recent past, the Bar Council of India and the State Bar Councils have come across the cases of rigging in the polls and the allegations of bogus voting has now become frequent, since the State Bar Councils and/or majority of Bar Associations of the country have no record of the Advocates who died after enrolment or who joined other jobs, business or professions; the Bar Council of India being the regular of Legal profession and Legal education of the country has, therefore, decided to undertake the detailed verification and then to prepare a Voters' List alongwith recent photographs of the Advocate (Voter). The Council has framed these Rules in the light of the verdict of Hon'ble apex Court in the case of Supreme Court Bar Association. The Bar Council of India has already decided to develop the web-portal for this purpose to have full details of all the Advocates of the country, all the Institutions imparting Legal Education, details of Law students, the Law Teachers and details of all the Bar Associations. The detailed information and photograph is necessary for that purpose also. Furthermore, since some of the Bar Associations have raised baseless objection with regard to the sum of Rs. 500/- as Practice Fee (as per them it is a heavy amount); the major portion (about Rs.400/-) of this Rs. 400/- was aimed (in 2014 Rules) for providing welfare schemes (like Insurance for Advocates and their family members and improvement of infrastructure and Library of

Bar Associations, Pensions etc.) But due to objection, now the Council has resolved to segregate this amount of Rs. 400/- for welfare-schemes from the process fee of verification. Now only Rs.100/- is to be charged from the Advocates as Process fee and rest of Rs. 400/- would be optional not mandatory, depending upon the decision of concerned State Bar Council and the concerned Advocate. Even from this process fee of Rs. 100/-, besides the expenditure incurred for undertaking the work of verification, the State Bar Council, Bar Associations and Bar Council of India are required to spend the rest of the amount for the improvement of infrastructures of Associations only. State Bar Councils shall be required to open and maintain a separate Bank Account for this purpose which would be audited every year. The report of Audit shall be sent to Bar Council of India and the Bar Association soon after the submission of report.

IndiaCode

The Bar Council of India has also come to know that a number of fake (farzi) persons (without any Law Degree or enrolment certificate) are indulged in Legal practice and are cheating the Litigants, courts and other stake-holders; and neither the Bar Associations nor the concerned State Bar Councils have any control over such fake persons. Shockingly, it has come to the notice of the Council that at some places, the office-bearers of Bar Associations or some vote-seekers knowingly make such people members and voters of their Associations with a motive to get their votes in the elections of Bar Associations or Bar Councils. Similarly, many persons, after getting enrolled as Advocates in any State Bar Council, get involve in Property-Dealings, contract or switch over to some other business, profession or job and have no more concern with the Legal profession. Such "non-practicing Advocates" are sometimes being used by some of the office-bearers/ candidates for elections of Bar Associations or Bar Councils (only for their votes). But in fact, the Council has realized that such practice is degrading the standard of Legal profession, and this mal-practice has to be stopped.

Few of the office-bearers/representatives of some of the Bar Associations had raised unnecessary objections and protests to these reformative steps. Such protests were/are only to serve their vested interests. Bar Council of India has to maintain the dignity and

standard of Legal profession, we shall have to oust fake people from the court-campus and we shall have to identify the "non-practicing Advocates", (who are involved in other job, business or profession). We are to ensure that such Advocates do not involve in deciding the fate of our Associations and the Bar Councils; And such Advocates are not allowed to get any benefit of welfare schemes or to practice Legal profession so long they are in any other business, job or profession.

It is due to these reasons, the Council has decided to make provisions for identification of such fake persons and non-practicing Advocates. And the Council has also felt it necessary to discourage those Advocates who raise unnecessary protests with an intent to keep and protect the fake and/or non-Practicing Advocates with an object to get their votes. Therefore, the Council has resolved to make suitable provisions in these Rules so that if any Advocate is found to be indulged in making deliberate effort to -

(i) Protect fake people practicing legal profession illegally

(ii) to create any hurdle in identification of "non-Practicing Advocates" and

(iii) create any objection in verification of the certificate of practice, credentials, place of Practice and details of Advocates, such Advocates would be debarred from contesting any election of Bar Association or Bar Council for a period of three years from the date of order to this effect.

Under the circumstances and for the abovementioned reasons, the Council has resolved to repeal the "Bar Council of India Certificate of Practice and Renewal Rules 2014" and has made and passed the new " Bar Council of India Certificate and place of Practice (Verification) Rules 2015", and has decided to implement it.

IndiaCode

CHAPTER I

PRELIMINARY

1. Short Title

These Rules shall be called as the "Certificate and place of Practice (Verification) Rules, 2015".

2. Extent

These rules will be applicable to all the advocates whose names appear on the State Rolls being maintained by the State Bar Councils under section 17 of the Advocates Act, 1961.

3. Date of commencement

These rules, except Rule 7 of Chapter III, shall come into force at once from the date of publication of these Rules in the Gazette of India. Rule 7 of Chapter III shall come into force on such date as the Bar Council of India may, by notification in the Gazette of India, appoint in this behalf.

4. Definitions

(a) **Act** means the Advocates Act, 1961.

(b) **Advocate** means an advocate whose name is entered in the Roll of advocates being maintained by the State Bar Councils under section 17 of the Advocates Act, 1961.

(c) **Certificate of Enrolment** means the certificate of enrollment held by an advocate issued under section 22 of the Advocates Act, 1961.

(d) **Certificate of Practice** in relation to an advocate having obtained graduate degree in law before the academic year 2010 enrolled on the roll of Advocates shall mean Certificate of Practice issued under Rule 13 and in relation to an advocate graduating in law in academic year 2009-2010 (1st July, 2009 to

30th June, 2010) and thereafter, enrolled on or after 12th Day of June, 2010, Certificate of Practice means the "Certificate of Practice" issued under All India Bar Examination Rules or under Rule 13 of these Rules or the enrolment certificate issued by the State Bar Council.

(e) **State Bar Council** means the State Bar Councils as defined under section 3 (1) (a) of the Advocates Act, 1961.

(f) **Verification/process fee** means the amount/s payable under these rules as fee and amount for processing of Application and its verification. This amount may be varied by the Bar Council of India from time to time and on such variation, the varied amount shall mean the fee.

(g) **Bar Association** of a given area/town/city means an area/territory and court work based association of advocates, weather registered under the Societies Registration Act (Act No. XXI of 1860) or not having its area/territory defined in terms of the whole or part of the territorial jurisdiction of Courts/Tribunals/Persons or any other Authorities legally competent to take evidence before which its members ordinarily practice law and it includes Bar Association exclusively dealing in specific fields of law viz. Income Tax, Corporate law, Central/State Excise Law etc. in relation to the authorities/tribunals/boards etc. there-under.

(h) **"Roll of advocates"** means "roll" as defined in the Advocates Act.

(i) **"Administrative Committee"** shall mean a committee comprising of three members of the State Council, constituted by the State Bar Council by way of election, for discharging such functions and duties as are entrusted to it under these Rules. There may be more than one such Committee depending upon the work load of a particular State Bar Council.

(j) **An non-practicing advocate** means an Advocate enrolled with any State Bar Council, but is not in actual practice of Law and is engaged in some other public or private job, business, contract etc. not related to Legal profession: and who has been so declared under Rule 13 and Rule 20.2 of these Rules and whose name stands published under Rule 20.4.

(k) **Fake Person** is a person who is involved in practicing in Courts of Law/Tribunals or other Legal forums without having a valid Degree in Law (without any enrolment in any State Bar Council) and use to appear in such Courts, Tribunals or Forums illegally posing him as an Advocate.

(l) **All terms and phrases** used in these rules shall have the same meaning as they have under the Advocates Act, 1961, unless the context in which such words and phrases are used, expressly suggest to the contrary.

5. Necessity of "Certificate of Practice"

An advocate shall not be entitled to practice law unless he holds a valid and verified certificate of practice issued either under All India Bar Examination Rules or under these Rules.

This disability to practice law would come into force only when the name/names of such advocate/s is/are published under Rule 20.4.

[1]5(a) Exemption of certain categories of Advocates

However, the senior Advocates designated under Section 16 of the Advocates Act and Advocates on Record of Supreme Court of India are requested to fill Form E for Senior Advocates and Form F(new) for Advocates on Records. They shall also be required to send two passport size photographs alongwith duly filled up forms of their respective Bar Associations or the concerned State Bar Council, so that their names could be included in electoral roll of State Bar Council. The senior Advocates shall be required to deposit a sum of Rs. 500/- and the AORs shall deposit the fee to be decided by their respective Sate Bar Councils. All the State Bar Councils shall be required to inform the Supreme Court Bar Association and the AOR Association of Supreme Court about the fee for verification of Certificate of Practice fixed by them forthwith.

1. Substituted vide Resolution No. 119/2015 dated 6/6/2015.

IndiaCode

CHAPTER II

LOCAL BAR ASSOCIATIONS

6. Advocate to be a member of the Bar Association where he/she normally practices law

6.1 An advocate, after having obtained a Certificate of Enrollment under section 22 of the Advocates Act, 1961, is required to get himself registered as a member of the Bar Association where he ordinarily practices law or intends to practice law. And if any Advocate does not intend to be a member of any Bar Association duly recognized by concerned State Bar Council, then he shall be required to intimate the same to the State Bar Council and he shall have to explain as to how shall he be getting the benefits of any welfare scheme floated by the State Bar Council or the Local Bar Association. The decision of State Bar Council shall be final in this regard.

6.2 In case an advocate leaves one Bar Association and joins another by reason of change of place of practice or by reason of change of field of law, he/she shall intimate such change with all the relevant particulars to the State Bar Council, of which he is a member.

Such fact of leaving as well as of joining shall be independently intimated to the aforesaid said Bar Council within a period of one month.

6.3 Bar Associations to apply to the respective Bar Council within whose jurisdiction they are located, for being recognized under these rules. Recognition shall be accorded to such a Bar Association only which falls within the definition of Bar Association as defined in these rules.

CHAPTER III

IndiaCode

7.1 If it comes to the notice of the Council through any source that any office-bearer of any Bar Association or any Advocate is involved in making unnecessary, baseless and deliberate protests/ objections in the process of identification of fake persons (involved in Legal profession) or in the identification of non-practicing Advocates (who are doing some other job, business etc.) and/or making any attempt to mislead the Advocates of his Association or State by making irresponsible statements with ill motive to create hurdle in implementation of these reformative Rules, a Tribunal constituted by the Bar Council of India and the State Bar Council may pass an order debarring such Advocate or office-bearer from contesting the elections of Bar Association/State Bar Council for a period of three years from the date of passing of such order.

7.2 Any such order be passed only by a Tribunal consisting of one former Judge of any High Court (nominated by Bar Council of India) one senior Advocate and one Senior Member of State Bar Council (nominated by the Chairman and the Vice-Chairman of that Bar Council.) Hon'ble Former Judge of High Court shall be the Presiding Officer of the Tribunal and no adverse order can be passed by such Tribunal unless the concerned office-bearer/Advocate is given an opportunity of hearing. The decision of majority will prevail in such decision. The Tribunal shall have power to pass interim orders also.

The State Bar Council or Bar Council of India may refer the matters to such Tribunals and the Tribunal shall dispose of the matters expeditiously. There shall be a separate Tribunal for each State Bar Council.

7.3 An Appeal/Revision shall lie before the Bar Council of India against any order passed by the said Tribunal, if preferred within a period of 60 days from the date of order: However, the Council shall have the power to condone the delay in filing such Appeal/Revision beyond 60 days, if sufficient cause is shown by the appellant/ petitioner.

CHAPTER IV

APPLICATIONS/ORDERS/OBJECTION PETITION WITH RESPECT TO GRANT/VEFIFICATION OF CERTIFICATE AND PLACE OF PRACTICE

IndiaCode

8. Application for verification of "Certificate to practice and place of Practice" by advocates enrolled on or before June 12, 2010:

8.1 An advocate graduating in law in academic year 2009-2010(1st July, 2009 to 30th June, 2010) and thereafter, enrolled on the "Roll of Advocates" on or after June 12, 2010, is required to apply for issuance of "Certificate of Practice" under All India Bar Examination Rules, 2010 and for verification of such "Certificate of Practice" from the State Bar Council in which he/she is enrolled as an advocate under Rule 9.

8.2 An advocate having obtained graduate degree in law before the academic year 2010 enrolled on the "Roll of Advocates", is required to apply for verification of "Certificate of Practice and place of practice" from the State Bar Council in which he/she is enrolled as an advocate under this rule within a period of 6 months of the enforcement of these Rules/date of enrolment.

8.3 Every application for issuance of verified Certificate of Practice shall be submitted in the prescribed format as given in **Form A** Column I and Column II annexed with these Rules disclosing all the necessary informations as required there under to the State Bar Council, with which he/she is enrolled.

8.4 Every such application shall be accompanied by the following documents, certificates, declaration, fee etc: -

i. Verification fee/process fee in the sum of Rs.100/- (rupees one hundred only) by way of Bank Drafts/Account payee bank cheque or cash in the name of :-

   a. Secretary State Bar Council, with which the applicant is enrolled (or it may be paid in cash also);

Out of this Rs. 100/-, the Secretary, State Bar Council shall send a sum of Rs. 20/- to the concerned Bar Association and Rs. 30/- to Bar Council of India, rest Rs. 50/- is to be kept in the Account of State Bar Council.

ii. A declaration in the prescribed format as given in Column II of **Form 'A'** annexed with these Rules;

iii. Two passport size photographs duty attested by the President/ Secretary of the Bar Association or by any other office bearer of the Association who is duly authorized for this purpose by the Bar Association, of which the applicant is a member, or by a member of the State Bar Council duly authorized by the State Bar Council or Bar Council of India ;

iv. Certificate in **Form A Column III** issued by the President/ Secretary or by any other office bearer of the Association, who is duly authorized for this purpose by the Bar Association/ to the effect that the applicant advocate is a bona fide member of the concerned Bar Association and that he has not left law practice OR By any member of State Bar Council duly authorized by State Bar Council or by the Bar Council of India.

In case, the applicant has been a member of different Bar Associations at different times since the issuance of certificate of enrolment under section 22 of the Advocates Act, 1961, such certificates may be obtained from the Presidents/Secretaries of the different Bar Associations, of which the applicant remained a member, at different times.

In case, the certificate of enrolment under section 22 of the Advocates Act, 1961 was granted more than five (5) years prior to the date of application, such certificate/certificates needs to be confined only to a period of five (5) years.

Provided that in case it is established at any stage that any such Authority has deliberately issued a certificate in Column III of FORM 'A' even after knowing that the Advocate is not in practice, the State Bar Council will be at Liberty to take appropriate action against such Authority issuing such certificate.

[2]v. However, the State Bar Councils would be at liberty to make any change in the Verification/process fee as per their own requirements and necessities. But any such change shall be required to be approved by the Bar Council of India.

2. Inserted vide Resolution No. 119/2015 dated 6/6/2015.

8.5 That the aforesaid application may be filed by the applicant along with all the aforesaid documents either by hand in the Office of the State Bar Council against proper receipt or send to the Secretary under registered post or through the Bar Association, of which he/ she is a member.

9. Application for Verification of Certificate of Practice issued by State Bar Council

9.1 The Certificate of Practice issued to an advocate under Rule 13 of these Rules or under All India Bar Examination Rules and Verification thereof, shall be valid for a period of five years (5) years only and is liable to be verified every five (5) years by filing an application for verification in advance within a period of six (6) months, before the validity period of "Certificate of Practice" or of its verification, expires.

9.2. All such applications for verification shall be filed in the format as given in **Form A** annexed with these Rules and it shall be accompanied by such documents, certificates, declaration, fee etc as are mentioned in clauses (i), (ii) and (iv) of Rule 8.4 and the same may be submitted as per Rule 8.5.

10. Delayed application with late fee

That all the applications for verification of "Certificate of Practice" filed after the time fixed by rule 8/rule 9.1 of these Rules shall not be received by the Office/Secretary unless it is accompanied by late fee in the sum of Rs.100/- (one hundred only) and such late applications would be entertained only for a period of six (6) months.

11. Delayed application for verification with penalty clause

That all applications for verification of certificate of practice filed after the period fixed under rule 10 shall not be received and processed by the Office/Secretary unless it is accompanied by a penalty fee of Rs. 50/- (rupees fifty only) per month reckoned from the last date on which such an application ought to have been made under Rule 10 of these Rules but such late application with penalty clause attached thereto would be entertained only for a period of six (6) months.

12. Incomplete and faulty applications

That in case, the applications so received, are found to be incomplete/faulty, the Office of State Bar Council shall intimate the

IndiaCode

concerned advocate of such shortcomings/defects by issuing letter under registered Post and such applications shall be processed further by the Office on removal of such shortcomings/defects.

The time taken to remove such shortcomings/defects by the concerned applicant may be counted towards late fee payable by the concerned advocate at the rate of Rs.1, 00/- per month unless it is waived by the Chairman/Vice-Chairman of the State Bar Council in case sufficient cause is shown for such delay.

13. Order on the application for verification of Certificate of Practice

That every application for verification of certificate of practice and place of practice received shall be scrutinized by the Office within a period of one month from the date of its receipt and if found in order, it shall be placed along with the personal file of the applicant before the Administrative Committee, for passing the requisite order allowing or dismissing the application.

Such application is liable to be dismissed only in case it is found that the advocate has left law practice and that he/she has no bona fide intent and interest in continuing it in future also and such an advocate shall be treated as a non-practicing advocate under these Rules.

No adverse order can be passed under this rule unless a reasonable opportunity of being heard is afforded to the applicant.

14. Objection Petition

14.1 An advocate or any person may file an objection petition before the State Bar Council seeking to add the name/names of an advocate/advocates in the List of Non-Practicing Advocates on the ground that such an advocate has left law practice and that he/she has no bona fide intent and interest in continuing it in future also.

14.2 Rule A. I (1) and rule A. I (2) of Chapter I of Part VII of the Bar Council of India Rules relating to complaints under section 35 of the Advocates Act shall, mutatis mutandis, apply to these objection petitions except that such objection petition shall be accompanied by a security amount of Rs.1, 000/- and not such fee as is prescribed in the aforesaid Rules relating to complaints under section 35 of the Advocate Act.

14.3 That in case the State Bar Council finds that there is a prima facie case in favor of the applicant; it shall refer it for decision to its Administrative Committee.

14.4 That the "Administrative Committee" of the State Bar Council shall decide and dispose of such an objection petition along with application for issuance/verification of Certificate of Practice of the concerned advocate, if any. But if no such proceedings are pending, such objection petition shall be decided independently.

Such procedure as is applicable to complaints under section 35 of the Advocates Act shall apply, mutatis mutandis, to proceedings under this rule.

14.5 That in case the complaint is found to be vexatious, frivolous and mala fide, the security amount deposited with the objection petition shall be forfeited to the State Bar Council.

14.6 The "Administrative Committee" shall be required to decide the objection petitions within a period of 15 days from the date of objection.

Explanation: An Advocate shall be deemed to be in practice, if he is able to establish that he has appeared in any Court of law or has filed Vakalatnama even in one case before any Court of Law/other forum in a year before these Rules came into force.

[3]**Explanation:** However, the Advocates doing chamber practices, or engaged with some Law Firms who are unable to file Vakalatnamas in any court or forum shall also be entitled to apply for verification of their certificates and place of practice. They shall be required to file an affidavit stating that they are doing Legal practice and shall have to furnish at least proof of this effect. Those who are engaged in any registered law firm shall be required to obtain a certificate from the Law Firm and submit it alongwith their application form.

3. Inserted by Resolution No. 119/2015 dated 6/6/2015.

IndiaCode

CHAPTER V

FOLLOW UP ACTION

15. Follow up action of order passed under rule 13

15.1 That immediately after the application for verification of Certificate of Practice is allowed under Rule 13 of these Rules; the Office of the State Bar Council shall prepare the verified Certificate in FORM 'B' in duplicate duly signed by the Chairman of the State Bar Council and in his absence by the Vice chairman of the State Bar Council or by such other member of the State Bar Council who is specifically authorized for the said purpose by the State Bar Council.

15.2 That one copy of such verified Certificate of Practice shall be dispatched to the advocate concerned under registered Post AD without any delay and the other copy shall be kept in the personal file of the advocate. The State Bar Council shall also make rules and issue an Identity card of such Advocates containing their photographs, which I-card shall be valid for a period of 5 years from the date of issuance and it shall be required to be produced at the time of voting election of State Bar Council or Bar Association.

15.3 That the State Bar Council shall maintain a separate Dispatch Register containing all the details as to the particulars of issuance/ verification of the certificate of practice, original certificate of enrolment and full particulars of the advocate as to age, date of birth, address, email id etc..

This Register shall be maintained year wise in such manner as may be prescribed by the State Council.

15.4 Every State Bar Council shall send to the Bar Council of India an authenticated soft copy of the record maintained by it under Rule 15.3 every year.

CHAPTER VI

CONSEQUENCES OF ORDER U/R 13 AND OF FAILURE TO MAKE APPLICATIONS

IndiaCode

16. Consequence of dismissal of application under Rule 13

In the event of dismissal of application under Rule 13, such consequences as are laid down by Rule 20.4 would follow.

17. Consequences of failure to make application as stipulated by Rule 7 to 11

That in case an advocate fails to make an application for verification of Certificate of Practice within such period/extended periods as provided for under Rules 8 to 11 and in case he fails to remove the shortcomings/defects in his application despite intimation under Rule 12 for a period of 6 months, it shall, prima facie, be presumed that the such an advocate has left law practice and that he/she has no bona fide intent and interest in continuing it in future also.

18. Follow up action against advocates who fail to respond and fall within the ambit of Rule 17 and publication of "list of defaulting advocates")

18.1 That the Office of the State Bar Council shall prepare a list of such defaulting advocate/advocates who has/have failed to apply for issuance/verification of Certificate of Practice within such period/ extended period as provided for by these Rules or have failed to remove shortcomings/defects in their applications despite intimation within the stipulated period of 6 months.

This list may be titled as the **"List of the Defaulting Advocates"**.

18.2 All such advocates whose name/names have been included in the list of "defaulting advocates" shall be given due notice of the fact that their name/names stood included in the above list and further notice of this list shall also be given in the following manner:

i. One copy of such List shall be displayed outside the Office of the Bar Council;

ii. Copies of such list shall also be sent to such District/Tauka Bar Association/s to which such advocate/advocates belong as per the address last disclosed by him/her and also to the concerned High Court/Supreme Court Bar Association;

iii. A letter of intimation that his/her name stands included in such list shall also be sent to the defaulting advocate at the address last disclosed by him/her under registered Post.

iv. This List shall also be **published** by the State Bar Council as per law.

19. Late Applications after publication under Rule 18

If an application for issuance/verification of Certificate of Practice is received by the State Bar Council within a period of 6 months **of the publication** of the aforesaid list of defaulting advocates under Clause (iv) of Rule 18, it shall be accompanied by such late fee and penalties as are specified by rules 10 to 12 of these Rules.

All such applications shall be processed by the Office as per the procedure laid down by rule 10 to 12 and thereafter order on such applications shall be obtained under rule 13 and such order shall be given effect to as per these rules.

20. Consequences of failure to respond and publication of "list of non-practicing advocates

20.1 That if no application for issuance/verification of Certificate of Practice is made under these rules or if an application is filed but defects are not removed as per Rule 17, it shall be presumed for the purposes of these rules that such an advocate has left law practice and that he/she has no bona fide intent and interest in continuing it in future also.

20.2 That on the expiry of a period of 6 months of the publication of such "List of Defaulting Advocates", the State Bar Council shall pass an order directing that the name/names of such advocate/advocates appearing "List of the Defaulting Advocates" be put in the list of "Non-Practicing Advocates".

20.3 That due notice of the list of "Non-Practicing Advocates" shall

be given to the followings:-

i. One copy of such List shall be sent to the Bar Council of India and to all other State Bar Councils.

ii. One copy of this list shall be sent to all the Courts situated within the territorial limits of the State Bar Council and also to the concerned High Court. Once copy shall be sent to Supreme Court of India also.

iii. Copies of such list shall also be sent to such District Bar Association/s to which such advocate/advocates belong as per the address lat disclosed by him/her and also to the concerned High Court/Supreme Court Bar Association;

20.4 The List of Non-Practicing advocates and name/names of advocates whose application for issuance/verification of certificate of practice stands dismissed under Rule 13 shall also be **published** by the State Bar Council as per law after such list/name/names is/are approved by the Bar Council of India.

List of such non-practicing Advocates is to be furnished by the concerned State Bar Council to Registrar of Supreme Court of India, Registrar of all the High Courts, Subordinate courts of the States, Bar Association of Supreme Court of India and Bar Associations of all the High Courts and Subordinate Courts.

21. Non-practicing advocates as included in the list of "non-practicing advocates" not entitled to practice law and to other privileges and rights

21.1 From the date of publication of the aforesaid list of non-practicing advocates, all such advocate/s whose name/names has/have been included in the aforesaid list, shall not be entitled to appear in any Court of Law, before any Tribunal or person legally authorized to take evidence and before any other authority or person before whom such advocate is by or under any law for the time being in force entitled to practice, notwithstanding the fact that name/names of such advocates is/are entered in the State Roll and that he is holding certificate of enrolment under section 22 of the Advocates Act.

Further, name/s of such advocate/s shall not be included in the electoral roll for the purposes of elections to the State Bar Councils. Such an advocate/s shall cease to be a member of any Bar Association

IndiaCode

and further he/she shall not be entitled to cast vote/s in any elections of the Bar Associations.

The status and rights of such advocate/s "as advocate/s entitled to participate and receive benefits" under Welfare Schemes of Bar Council of India created under Rules 40 to 44 B of Section IV-A of Chapter II contained in Part VI of the Bar Council of India Rules and other schemes floated by the State Bar Council shall come to an end w. e. f. the date of publication of the List/name/names of Non-Practicing Advocates under Rule 20.4 with the exception that such an advocate would be entitled to receive such benefits under the relevant scheme/s, if any, which have already accrued in his/her favor.

CHAPTER VII

UPDATING OF THE RECORD OF PRACTICING AND NON-PRACTISING ADVOCATES

IndiaCode

22. Record with respect to practicing and non-practicing Advocates

22.1 That on culmination of the initial process of identification of Non-practicing Advocates in the aforesaid manner in the publication of the List of such advocates under Rule 20.4, the State Bar Council shall create and maintain a separate record of such Advocates with all particulars as to name, address, date of birth, date of enrolment, enrolment number, particulars of application for issuance/verification of Certificate of Practice, if any, and of its dismissal. This record shall be updated regularly.

22.2 Every State Bar Council shall send to the Bar Council of India an authenticated soft copy of the record as maintained under Rule 22.1 every year.

22.3 All the Advocates whose certificate of Practice are duly verified shall be issued a certificate of Practice affixing his photograph and mentioning the period of its validity FORM 'B' ; And the State Bar Council shall also issue an Identity card to such Advocates containing a Xerox copy of his photograph and the period of its validity FORM 'D'. The Advocates would be supposed to carry it while practicing in Courts/ Tribunals or other Forums, so that in case of demand by any Law Court/Authority or any Advocate or any Litigant or citizen one can easily establish that he is an Advocate.

22.4 An Advocate after getting the verified Certificate of Practice under these Rules can appear before any Court of Law/Tribunal or other forum in India as per Section 30 of the Advocates Act subject to fulfillment of any condition imposed by any competent or Court of Law.

23. Updating of the electoral rolls of the State Bar Council for the purposes of elections

On the publication of list of non-practicing Advocates under rule 20.4 and after sending copy of such record to the Bar Council of India under Rule 22.2, the State Bar Councils shall start the process of preparation of electoral roll for elections to the State Bar Councils as per Chapter I, Part-III of the Bar Council of India Rules. No State Bar Council shall undertake to prepare electoral roll or to conduct elections to the State Bar Councils unless the process of verification of Certificate of Practice and of identification of non-practicing advocates is completed under these Rules by publication of their names under Rule 20.4.

Provided that the election/s of the State Bar Council/s where a special committee/committees under section 8A of the Act is/are already functioning on the date of commencement of these rules, shall continue under the existing rules as if these rules have not been enforced. In such State Bar Councils, these Rules shall come into force only after the new State Bar Council is constituted on the declaration/ publication of the results of the elections.

The State Bar Councils are required to constitute various Committees for implementation of these Rules. If any State Bar Council is proved to be deliberately slack unnecessarily in verification of Certificate of Practice and identification of non-Practicing Advocates, then in that case Bar Council of India would be at Liberty to take appropriate action under the provisions of Advocates Act, 1961.

CHAPTER VIII

APPEAL, REVISION ETC.

IndiaCode

24. Appellate Tribunal

24.1 There shall be an Appellate Tribunal for disposal of appeals under these rules with respect to each State Bar Council and such Tribunal shall comprise of the following members:-

i. Two Members of the State Bar Council elected by the State Bar Council under Rule 44 A(2)(i) of Bar Council of India Rules under Part VI, Chapter II , Section-(IV A).

ii. One member of the State Bar Council from amongst the members of the Executive Committee to be nominated by the Chairman of the State Bar Council and another member nominated by the Member, Bar Council of India from the concerned State Bar Council.

III. Member of the Bar Council of India from the concerned State Bar Council who shall be its Chairman;

24.2 That the quorum of the Appellate Tribunal shall be three members but no final order shall be passed unless the Chairman of the Appellate Tribunal is party thereto.

25. Appeal against order passed under Rule 13/Rule 20.2

That in case the application of an Advocate for verification of Certificate of Practice is dismissed under **Rule 13** of these Rules/in case the name of an Advocate is ordered to be included in the list of "non-practicing Advocates" by the State Bar Council under Rule 20.2, the aggrieved party may, within a period of 60 days of the date of passing of the order or publication of the list of non-practicing advocates under Rule 20.4, **prefer an appeal** against such order to the Appellate Tribunal but delay in filing the appeal can be condoned, if sufficient cause is shown for such delay.

Every such appeal shall be accompanied by an attested copy of

the impugned Order. The appeal shall not be received and entertained unless it is accompanied by a fee of Rs. 200/- in the form of a Bank draft/Account Payee Bank Cheque favoring Secretary, State Bar Council of the concerned State Bar Council.

Out of this amount of Rs. 200/-, the Secretary, State Bar Council shall send/ deposit remit a sum of Rs. 50/- to the Account of the Bar Council of India and a sum of Rs. 50/- shall be transferred to the fund known as " Fund for Promotion Bar Associations" under these rules.

Every such appeal shall be heard by the Appellate Tribunal, which may pass such order there on as it deems fit. Appeal is to be decided expeditiously preferably within 90 days of its filing.

26. Stay of operation of order passed under rule 13 and rule 19.2

Mere filing of an appeal against order passed under rules 13 and 20.2 shall not operate to stay the operation of order appealed against unless its operation is stayed by the Appellate Tribunal on such conditions as it may deem fit.

27. Power of Revision

27.1 The Bar Council of India may, at any time, call for the record of any proceeding under these Rules which has been disposed of by the State Bar Council or by the Appellate Tribunal, and from which no appeal lies, for the purpose of satisfying itself as to the legality and propriety of such order or disposal and may pass such orders in relation thereto as it may deem fit.

This revision shall be under Part-II, Chapter IX of BCI Rules viz. Section 48A of the Advocates Act, 1961.

27.2 No order which prejudicially affects any Advocate shall be passed under this Rule unless an opportunity of being heard has been afforded to him.

CHAPTER IX

RESUMPTION OF PRACTICE

IndiaCode

28. Resumption of Practice

28.1 If an advocate whose name has been included in the "list of non-practicing advocates" published under Rule 20.4, intends to resume law practice in the changed circumstances, he may apply to the State Bar Council that his/her name may be taken out of such list.

28.2 Application for resumption shall be made in Form C along with resumption fee of Rs.2, 000/- and declaration.

Such an application shall be supported by a certificate in Column III of Form A issued by the President/Secretary of the Bar Association, of which the applicant intends to become member for doing practice in law.

28.3 The State Bar Council shall refer such an application for resumption to the Administrative Committee which may pass an appropriate order allowing or dismissing such application provided that such an application shall be allowed only if the Administrative Committee is satisfied that the intent of the applicant to resume law practice is bona fide.

28.4 In case application for resumption is allowed, the name of the applicant shall be taken out of the list of the "non-practicing advocates" and such exclusion shall be duly notified and published as provided by rule 20.3 qua "list of non-practicing advocates".

28.5 That from the date of publication under Rule 28.4, all disabilities suffered by the applicant under rule 21, shall not survive but he/she shall not be entitled for any benefits/privileges that were denied to him under Rule 21 for the period his/her name remained in the "list of non-practicing advocates".

28.6 Out of Rs. 2000/-, a sum of Rs. 1000/- shall be utilized by

State Bar Council for the purpose of welfare of Advocates and Rs.500/- shall be transferred to the concerned Bar Association and Rs. 500/- shall be utilized by Bar Council of India for the welfare of Advocates.

CHAPTER X

PROCESS FEE FUND

29. The Verification/Process Fee Fund

The State Bar Council shall open a separate account for this purpose to be operated jointly by the Chairman and Secretary of the State Bar Council.

29.1 That all the payments towards application verification fee, late fee and penalties payable under these rules shall be paid by way of bank drafts/account payee bank cheques only in the name of Secretary State Bar Council or it may also be deposited in cash to the Secretary, State Bar Council or it may also be deposited in cash to the Secretary, State Bar Council.

29.2 That the all the amount collected under these rules shall be utilized for the following purposes only:-

(a) To meet the administrative and other expenses arising in connection with these Rules; The rest of amount shall be spent.

(b) To make contributions to different Bar Associations for the following purposes only:-

i. Establishing and improving Law libraries.

ii. Improvement of infrastructure in the premises of the Bar Associations which is reserved for the common use of the advocates and to make such other contributions for promoting and strengthening the Bar Associations at the Taluka, District, High Court and Supreme Court levels as it may deem fit.

iii. To promote welfare schemes for advocates. Such welfare schemes may include insurance of all kinds with respect to the advocates and their dependent members of the family; pension schemes, stipends for junior and disabled advocates, continued legal education/training of advocates.

IndiaCode

CHAPTER XI

MISCELLENOUS

30. Removal of difficulties:

In case of any doubt or dispute as to the meaning, interpretation, execution of these Rules arises, the Appellate Tribunal shall be the final authority to settle all such issues and its decision thereon shall be final.

31. Regulatory Powers:

The Bar Council of India shall have the right of issuing such regulations to the State Bar Council from time to time, as are necessary for the proper implementation and execution of these Rules and such regulations shall be complied with by the State Bar Council in letter and spirit so that uniformity is maintained in the application of these Rules throughout the Country.

32. Power of Bar Council of India to form Ad-hoc Committees

In case the term of elected members of any State Bar Council is likely to expire/expires due to delay in the process of identification of non-practicing advocates under these rules or in case of delay in the preparation of the electoral roll for the elections to the State Bar Councils, the Bar Council of India shall constitute an ad-hoc Committee consisting of required number of elected members of the State Bar Council for smooth running of the State Bar Council and for expeditious execution of the aforesaid process. This ad-hoc Committee of State Bar council shall function under the Special Committee constituted under Section 8A of the Act till the process of preparation of electoral roll as per Chapter I, Part-III of the Bar Council of India Rules for the purpose of elections to the State Bar Council is completed.

33. Saving clause

The Bar Council of India Certificate of Practice and Renewal Rules 2014" are hereby repealed. However, any certificate of the nature of

Certificate of Practice as defined in those Rules and verification/ renewal thereof (by whatever name/manner or form they may have been issued/granted by the State Bar Councils) or under Bar Council of India Certificate of Practice Renewal Rules 2014 and any other action taken/order passed by the State Bar Council in connection with any such Rule, before the enforcement of these Rules, shall continue to be valid for a period of five years from the date of its issuance/renewal, but on the expiry of period of five years, such certificate issued by the State Bar Council is required to be verified under these Rules.

34. Repeal of all Resolutions/Rules passed/framed either by any State Bar Council or by Bar Council of India

Any Resolutions/Rules passed/framed by any State Bar Council or by Bar Council of India, which are inconsistent with these Rules, shall stand repealed from the date on which these Rules come into force.

35. The decision with regard to Rs.500/- or Rs.200/- (as the case may be) as paid by any Advocate as Practice fee as provided under Bar Council of India Certificate of Practice and Renewal Rules. 2014, prior to the date of commencement of these Rules of 2015, shall be taken by the concerned State Bar Council. Either after deducting Rs.100/- as Process/Verification fee the rest of Rs. 400/- or Rs.100/- (as the case may be) is to be refunded to the Advocate or it may be utilized for the insurance of the Advocate and his family or for the benefit and welfare of concerned Advocate. This decision is to be taken by the concerned State Bar Council only after obtaining option of concerned Advocate.

****

IndiaCode

FORM - A & FORM - F[4]

(for Advocates & Advocate on Records)

APPLICATION FOR ISSUANCE OF CERTIFICATE OF PRACTICE

(See Rule 8.3 of the BCI Certificate and Place of Practice (Verification) Rules, 2015)

To,

The Secretary,
Bar Council of .....
.....
.....
.....

Passport size Photograph of the Advocate

IndiaCode

Sub. : Application for issuance of Certificate of Practice (/...../.....)

Sir,

I hereby apply to the .....(name of the State Bar Council) for issuance of certificate of practice.

My full particulars are as follows:-

1. Enrolment number on the Roll : .....
2. Date of Enrolment: .....
3. Name of the Advocate : .....
   (As given in the Enrolment Certificate):
4. Father's Name: .....
5. Present Residential Address: .....
   .....

[5]6. Name of Institution & University from where advocate has done his -

i. Matriculation / 10th.....Name of School/Board/Year of Passing

ii. Graduation .....Name of College/University/Year of Passing

iii. LL.B. .....Name of College/University/Year of Passing

7. Office Address with Telephone No. .....
   .....

4. Form A & F made common vide Resolution No. 305/2015 dated 5/12/2015.
5. Ammended vide Resolution No. 190/2015 dated 9/8/2015.

Mobile No. / Email / Website .....

.....

8. Place of Practice : .....
(As given in the Application Form for enrolment):

9. Present Place of Practice: .....

10. Date of Birth : .....

11. Name of Bar Association of which applicant is a member .....
.....

12. Whether the applicant, after enrolment, has joined any Government/Semi-Government or Private Service or any other kind of service, if so full particulars be furnished with date of joining of such services: .....
.....

13. Whether the applicant after enrolment, has joined any business, as a full partner/ sleeping partner, if so, full particulars be supplied, with an attested copy of business instrument like Partnership deed, MOU, Agreements etc. .....
.....

14. Whether the applicant, after enrolment has incurred any disqualification as mentioned in Section 24-A of the Act, if so, certified copy of judgment / order be attached:

15. Whether applicant, at present, is facing any disciplinary or criminal or contempt proceedings/ convicted in any Criminal or other proceedings or not, if so, full particulars be given: .....
.....
.....

15. Delay, if any, in submitting the application form, reasons to be given:
.....
.....
.....

17. Process fee/ Late fee/ Penalty

Rs. ..... by way of Demand Draft No.....
Date ...../ Account Payee Cheque No.....
dated ..... or Cash Paid to .....
..... on .....

18. Place where the Advocate intends to cast his vote

i. In Bar Council Elections .....

ii. In Bar Association Elections.....

Name of the Bar Association .....

Place .....

19. Any other information, applicant wants to submit about his distinctions.

20. If the advocate is not a member of any Bar Association (registered and recognized by the concerned State Bar Council), the reason for not being a member of Bar Association .....
.....
.....
.....

21. Whether the advocate intendes to become the Member of the Bar Association in future. (Put a 'X' Mark)

Yes ..... No .....

I verify that the information/ particulars furnished by me are true and correct to the best of my knowledge and nothing has been kept concealed therein.

I am also submitting herewith Column-II and III of this Form-A.

Date : **Full Signature of the Advocate**

Note: - One additional passport size photograph is attached/sent herewith.

IndiaCode

FORM - A

COLUMN - II

(See Rule 8.4 of the BCI Certificate and Place of Practice (Verification) Rules, 2015)

I ..... aged .....
son of ..... resident of
.....
.....
enrolled as a advocate on the roll of .....
..... (name of the State Bar Council)
vide certificate of enrolment dated and No.....
do hereby solemnly affirm and declare as follows: -

1. That after having obtained Certificate of enrolment from the .....
..... (name of the Bar Council) under Section 22 of the Advocates Act, I have not left practice in law.

2. That I usually practice at ..... and I intend to cast my vote

   i. In the elections of the State Bar Council at .....

   ii. In the elections of Bar Association .....

   (Name and Place of Bar Association)

   (This clause 2(ii) shall not apply to those advocates who do not intend to be the members of any Bar Association)

3. That since my enrolment as an advocate, I have not switched over to any other profession/services/business and that thereafter, I am doing practice in law.

Date: **Full Signature of the Declarant-Advocate**

FORM - A

COLUMN - III (Certification)[6]

(See Rule 8.4 of the BCI Certificate and Place of Practice (Verification) Rules, 2015)

This is to certify that Shri/Mr./Mrs./Ms. .....
....., Advocate S/o, W/o, D/o ..... is a bona-fide member of the Bar practicing usually at .....
..... (name of the Bar Association, if any) and he/she has been practicing law since joining this Bar from the year ..... and has not left such practice and I further certify that the particulars disclosed by him/her in the accompanying application are correct to my knowledge and belief.

Date :

Full Signature with name of Authorized Member Bar Council of .....

Full Signature with name of President/Secretary Bar Association (Seal)

[6] **N.B. -** In this certification the declaration should contain/attach the certified copies of atleast 5 Vakalatnamas or any other document/cause list establishing that the advocate has been in practice for last 5 years.

[6] **N.B. -** If the advocate is aatched with some Registered law or Solicitor firm, he shall furnish a certificate to that effect from the Authorized Officer of concerned Firm showing details as to for what period Candidate/Advocate has served the firm and nature of his details.

[6] If the lawyer is a conveyancing lawyer, he shall furnish 5 (five) such documents of last 3 years to support his claim that he is in conveyancing practice lawyer.

6. Inserted vide Resolution No. 305/2015 dated 5/12/2015.

IndiaCode

FORM - B

[For Office use only)

Passport size Photograph of the Advocate

Bar Council of .....

Certificate of Practice

[issued under B. C. I. Certificate and Place of Practice (Verification) Rules, 2015]

C. O. P. No._____ of _____

This is to certify that Shri/Mr./Mrs./Ms. .... S/o, W/o, D/o ..... R/o .... PS .... dated ..... is an advocate enrolled in the Bar Council of ..... His enrolment number is ..... dated ..... and his normal place of practice is .....

He is entitled to cast his vote for the election of Bar Council of .... at ..... (Place) and in the elections of Bar Association of ..... (name & place of Bar Association, if applicable).

This certificate of practice is valid for a period of 5 years from the date of its issuance.

Date:

Chairman/Vice-Chairman
Authorized Signatory
(Seal of the State Bar Council)

FORM - C

APPLICATION FOR RESUMPTION OF CERTIFICATE OF PRACTICE

(See Rule 28.2 of B. C. I. Certificate and Place of Practice (Verification) Rules, 2015)

Passport size Photograph of the Advocate

To,

The Secretary,
Bar Council of .....
.....
.....
.....

IndiaCode

Sub. : Application for resumption of Certificate of Practice (/...../.....)

Sir,

I hereby apply to the .....(name of the State Bar Council) for issuance of certificate of practice.

My full particulars are as follows:-

1. Enrolment number on the Roll : .....
2. Date of Enrolment: .....
3. Name of the Advocate : .....
   (As given in the Enrolment Certificate):
4. Father's Name: .....
5. Present Residential Address: .....
   .....
   .....
6. Name of Institution & University from where advocate has done his
   i. Graduation ..... year .....
   ii. LL.B. ..... year .....
7. Office Address with Telephone No. .....
   .....
   Mobile No. / Email / Website .....
   .....

8. Place of Practice : .....
(As given in the Application Form for enrolment):

9. Present Place of Practice: .....

10. Date of Birth : .....

11.1. That in the changed circumstances, I intend to resume law practice.

11.2. That after enrolment I have not suffered and incurred any disqualification s mentioned in Section 24-A of the Advocates Act.

12. Particulars of the Certificate of Practice issued to the application if any :-

a. Whether issued under AIBE Rules, if so, its number and date .....

b. Whether issued by the State Bar Council under these rules, if so, its number and date (self attested photo copies of the certificate of practice to be annexed with this application).....
.....

c. Particualrs of the notification, whereby the applicant was put in the list of "Non-Practicing Advocate" .....
.....

13. Whether the applicant after enrolment has joined any Government/Semi-Government or Private Service or any other kind of service, if so full particulars be furnished with date of joining of such services: .....
.....

14. Whether the applicant after enrolment, has joined any business, as a full partner/ sleeping partner, if so, full particulars be supplied, with an attested copy of business instrument like Partnership deed, MOU, Agreements etc. .....
.....

15. Whether the applicant, after enrolment has incurred any disqualification as mentioned in Section 24-A of the Act, if so, certified copy of judgment / order be attached:

16. Whether applicant, at present, is facing any disciplinary proceedings/ convicted in any Criminal proceedings or not, if so, particulars be given: .....
.....

17. Delay, if any, in submitting the application form, reasons to be given:
.....
.....
.....

18. Verification fee/ Late fee/ Penalty

Rs. ..... by way of Demand Draft No..... Date ...../ Account Payee Cheque No..... dated ..... or Cash Paid to .... on .....

18. Place where the Advocate intends to cast his vote

i. In Bar Council Elections .....

ii. In Bar Association Elections.....

Name of the Bar Association .....

Place .....

(This clause shall not apply to advocate who does not intend to be a member of any Bar Association)

19. Any other information, applicant wants to submit about his distinctions.

I verify that the information/particulars furnished by me are true and correct to the best of my knowledge and nothing has been kept concealed therein. I bona-fide intend to resume Law practice.

Date :

Signature
of the Advocate

IndiaCode

FORM - D

Passport size Photograph of the Advocate

Bar Council of .....

IDENTITY CARD

I. Card No.....

1. Name .....
2. Father's Name .....
3. Enrolment No., Year & date .....
4. Address .....
   .....
   .....

   Email ID .....

   Telephone/Mobile No. .....
5. Normal Place of Practice .....
6. Date of expiry of I-Card.....
7. Place where Advocate is entitled to vote in elections of State Bar Council
   .....
8. Place/name of Bar Association (if any) where Advocate is entitled to vote in election of Bar Association ..... .

Date:

Chairman/Vice-Chairman
Authorized Signatory
(Seal of the State Bar Council)

FORM - E [7]

FOR SENIOR ADVOCATES

(See Rule 5(a) of the Bar Council of India Certificate and Place of Practice (Verification), Rules 2015)

To,
The Secretary,
Bar Council of .....
.....
.....
.....

Passport size Photograph of the Advocate

Name:.....

Father's Name.....

Enrolment No. and Date.....

Email Id:.....

Place where the Sr. Advocate to case his vote in the elections of State Bar Council:
.....

Name/Place of Bar Association where the Senior Advocate casts his vote:
.....

Signature, Designation & Seal of the authorized signatory of S.C.B.A./A.O.R. Association

Signature of Senior Advocate/A.O.R.

Date:.....

7. Ammended vide Resolution No. 305/2015 dated 5/12/2015.

IndiaCode

IndiaCode