



# राज्य विधिज्ञ परिषद् उत्तर प्रदेश

## BAR COUNCIL OF UTTAR PRADESH

19, महर्षि दयानन्द मार्ग, प्रयागराज-211001

19, Maharshi Dayanand Marg, Prayagraj- 211001

Phone: 0532-3535759, 0532-3500547

शुल्क विवरण (केवल कार्यालय प्रयोग हेतु)

रु०.....रसीद संख्या.....प्राप्तकर्ता.....दिनांक.....

रु०.....रसीद संख्या.....प्राप्तकर्ता.....दिनांक.....

Paste your recent  
passport size color  
photo in coat tie  
attested by Member  
Bar Council/First Class  
Magistrate

पंजीकरण शुल्क प्राप्त किया  
लेखापाल

आवेदन पत्र संख्या.....फार्म प्राप्त करने की तिथि.....

(अधिवक्ता अधिनियम 1961 के अन्तर्गत)

श्री/कुमारी/श्रीमती.....माता का नाम श्रीमती.....

पुत्र/पुत्री/पत्नी श्री.....जनपद.....

के पंजीकरण के सम्बन्ध में

नोट: कार्यालय माह के प्रत्येक मंगलवार एवं द्वितीय बुधवार तथा राष्ट्रीय अवकाश के दिन बन्द रहेगा।

**Character Certificate to be attested by Hon'ble Member Bar Council or  
An Advocate on the roll of BCUP for more than 10 years**

चरित्र प्रमाण-पत्र

मैं प्रमाणित करता/करती हूँ कि श्री/कु0/श्रीमती..... पुत्र/पुत्री/पत्नी श्री.....  
.....को मैं व्यक्तिगत रूप से जानता/जानती हूँ। ये सच्चरित्र है और अधिवक्ता पंजीकरण होने  
योग्य उपयुक्त है।

दिनांक:.....

हस्ताक्षर

पूर्ण नाम.....

पदवी.....

अधिवक्ता पंजीकरण संख्या.....

पूर्ण पता.....

कार्यालय का प्रतिवेदन

आवेदक श्री/कु0/श्रीमती.....पुत्र/पुत्री/पत्नी श्री.....  
.....विश्वविद्यालय के.....विधि स्नातक है तथा इस प्रकार ये सन् 1961 ई0 के  
एडवोकेट्स अधिनियम की धारा 24(1) खण्ड डी के उपबन्ध 1 के अन्तर्गत अधिवक्ता होने के अधिकारी हैं।

पंजीकरण लिपिक

प्रतिवेदन

सन् 1961 के एडवोकेट्स अधिनियम की धारा 24 के अन्तर्गत आवेदक को एक अधिवक्ता पंजीकृत कर लिया जाये।

तिथि:.....

सचिव

पंजीकरण समिति का आदेश

(1) आवेदक श्री/कु0/श्रीमती..... पुत्र/पुत्री/पत्नी  
श्री.....का नाम सन् 1961 ई0 के एडवोकेट्स अधिनियम के  
प्राविधान के अन्तर्गत अधिवक्ता के रूप में पंजीकृत कर लिया जाये / न किया जाये।

.....  
सदस्य

.....  
सदस्य

.....  
सदस्य

पंजीकरण प्रमाण-पत्र तैयार करने की तिथि.....  
पंजीकरण प्रमाण-पत्र संख्या.....

हस्ताक्षर लिपिक

निरीक्षण कर्ता



12. Educational Qualifications : (नोट:- आवेदन पत्र के साथ हाईस्कूल से विधिस्नातक तक के सभी अंकपत्र एवं प्रमाणपत्र की स्वप्रमाणित छायाप्रति संलग्न करना अनिवार्य है।)

SL No.	Exam Passed	Board/ University	Name of Institute/ College	Academic Session	Passing year	Regular/ Private	Duration of Completion of Exam (in year)	Percentage of Obtained Marks
a.	High School							
b.	Inter							
c.	B.A. B.Com. B.Sc.							
d.	LLB							
e.	Any other							

N.B:- Ascertain LLB Degree obtained by affiliated college/university is recognized by Bar Council of India.

Signature of the Candidate

13. Whether engaged in any business, trade or service at present or before:

13 (a) if yes in column 13 then give details below :

Y		N	
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Si No.	Occupation	Period (from-to-)	Designation/ Nature of Work	Address of Employers	Reason of Closer/End of Occupation
1.	Service				
2.	Business				
3.	Trade				

Note: Enclose proof of discharge/closer/ending of above occupation/service by competent authority

Signature of the Candidate

Date :

Place:

(Name in full)

**FOR OFFICE USE ONLY**

Checked by me and found correct/incorrect. Age of applicant is above 21 year as per High School Certificate.

Checked By Signature

आवेदन पत्र मे निम्न कमिया है

## घोषणा

मैं .....पुत्र/पुत्री/पत्नी श्री.....  
अधिवक्ता होने के लिये बार कौंसिल ऑफ उत्तर प्रदेश के समक्ष नियमित पंजीकरण हेतु आवेदक निष्ठापूर्वक प्रतिज्ञा करता/करती हूँ और निम्नलिखित घोषणा करता/करती हूँ कि:-

1. मैं 21 वर्ष की आयु पूरी कर चुका/चुकी हूँ।
2. अपना नाम पंजीकृत होने की तिथि से साधारण उत्तर प्रदेश बार कौंसिल के अधिकार से मैं नियमित रूप से विधि व्यवसाय करूँगा/करूँगी।
3. शासन अथवा किसी अन्य विभाग में मैं नियुक्त नहीं हूँ।
4. मैं कोई अन्य व्यापार अथवा कारोबार नहीं करता/करती हूँ।
5. किसी राज्य की बार कौंसिल अथवा भारत के किसी अन्य न्यायालय अथवा उच्चतम् न्यायालय द्वारा अधिवक्ता पंजीकरण का मेरा आवेदन पत्र कभी अस्वीकार नहीं किया गया है।
6. मैं भारतीय नागरिक हूँ।
7. मैं लिखित घोषणा कर रहा/रही हूँ कि मैं अपनी योग्यता और अच्छे से अच्छे अपने ज्ञान से एक एडवोकेट के कार्य एवं व्यवहार का वस्तुतः ईमानदारी से निर्वाह करूँगा/करूँगी और पंजीकृत अधिवक्ताओं का व्यवहार विनियमित करने के लिये बार कौंसिल द्वारा बनाये गये नियमों का निष्ठापूर्वक पालन करूँगा/करूँगी।
8. मैं घोषणा करता/करती हूँ कि भारतीय संविधान के प्रति निष्ठा एवं श्रद्धा रखूँगा/रखूँगी।
9. मैं घोषित करता/करती हूँ कि किसी सेवा में युक्त होने, व्यापार कारोबार अथवा भिन्न वृत्ति करने पर अपना अधिवक्ता प्रमाण-पत्र बार-कौंसिल को तुरन्त समर्पित कर दूँगा/दूँगी।
10. मैं घोषित करता/करती हूँ कि विधि व्यवसाय के अपने साधारण स्थान अथवा उसके परिवर्तन की सूचना बार कौंसिल को दूँगा/दूँगी।
11. मैं घोषित करता/करती हूँ कि मैं विधि स्नातक उपाधि बार काउंसिल आफ इण्डिया से मान्यता प्राप्त विधि संस्थान/महाविद्यालय/विश्वविद्यालय से प्राप्त किया है।
12. मैं घोषित करता/करती हूँ कि मैं कभी नैतिक, अपराधिक या अस्पृश्यता के दोष में दण्डित नहीं हुआ/हुई हूँ। मेरे विरुद्ध भारतीय दण्ड संहिता अथवा अन्य किसी एक्ट का कोई मुकदमा किसी भी फौजदारी न्यायालय में विचाराधीन नहीं है और न ही किसी आपराधिक केस में मेरी गिरफ्तारी हुई, और न ही मेरे विरुद्ध पुलिस द्वारा कोई विवेचना चल रही है।
13. मैं घोषित करता/करती हूँ कि अधिवक्ता के रूप में बार कौंसिल द्वारा अधिवक्ता पंजीकृत किये जाने के बाद मेरे विरुद्ध **Moral Turpitude** के अन्दर आने वाला कोई भी आपराधिक वाद या एफ0आई0आर0 कायम होता है तो परिवाद की प्रतिलिपि उत्तर प्रदेश बार कौंसिल को उक्त तथ्य की जानकारी होने की तिथि से तीन माह के अन्दर रजिस्टर्ड डाक से प्रेषित कर दूँगा/दूँगी तथा इस बात को भी सुनिश्चित करूँगा/करूँगी कि प्रति कार्यालय को मिल गई है।
- (अ) मैं घोषित करता/करती हूँ कि उपरोक्त परिवाद या मुकदमें में जो भी अन्तिम निर्णय होगा इस निर्णय की सत्य-प्रतिलिपि को भी निर्णय की तिथि से तीन माह के अन्दर बार कौंसिल आफ उत्तर प्रदेश को सत्य-प्रतिलिपि के साथ रजिस्टर्ड डाक से प्रेषित कर दूँगा तथा इस बात को भी सुनिश्चित करूँगा/करूँगी कि प्रति मिल गई है।
- (ब) मैं घोषित करता/करती हूँ कि अधिवक्ता के रूप में पंजीकृत होने के पश्चात मैं अपने जीवन यापन हेतु किसी अन्य व्यापार या व्यवसाय या नौकरी या अन्य प्रोफेशन को जीविकोपार्जन के साधन के रूप में नहीं अपनाऊँगा/अपनाऊँगी। यदि मैं ऐसा करता/करती हूँ तो ऐसा करने के बाद अधिवक्ता के रूप में मूल अधिवक्ता पंजीकरण प्रमाण-पत्र बार कौंसिल उत्तर प्रदेश को समर्पित करना निश्चित करूँगा/करूँगी। ऐसा न करने पर यह कृत्य मेरे द्वारा बार कौंसिल उत्तर प्रदेश के प्रति फ्रॉड माना जायेगा और भारतीय दण्ड विधान के अनुसार दण्डनीय अपराध होगा।
14. मैं निष्ठापूर्वक घोषित करता/करती हूँ कि खण्ड 1 से खण्ड (13) में दी गई समस्त सूचना जो मेरे पंजीकरण से सम्बन्धित है, मेरे ज्ञान एवं विश्वास से सत्य है। इसमें न कुछ छिपाया गया है और न कोई भाग असत्य है।
15. मैं घोषित करता/करती हूँ कि मैंने बार कौंसिल आफ इण्डिया द्वारा निर्मित खण्ड 6 में वर्णित चैप्टर 1 से चैप्टर 4 में दिये गये (पंजीकरण फार्म के साथ संलग्न) समस्त नियमों को भलीभांति अध्ययन कर लिया है जिनका पालन पंजीकरण के बाद पूरी निष्ठा के साथ नियमित रूप से करूँगा/करूँगी।
16. मैं घोषित करता/करती हूँ कि मैंने शैक्षिक प्रमाण पत्र/सेवानिवृत्ति प्रमाण पत्र की स्वप्रमाणित प्रतिलिपि दाखिल की है, वे पूर्णतया सही हैं। यदि वे गलत पाये जाते हैं तो बार काउन्सिल उत्तर प्रदेश को यह अधिकार होगा कि वह पंजीकरण निरस्त कर दें और अन्य कार्यवाही करने के लिये बार काउन्सिल उत्तर प्रदेश स्वतन्त्र है।

मैं स्थान (पूर्ण विवरण दें)..... व्यवसाय (प्रेक्टिस) करना चाहता/चाहती हूँ।

स्थान:.....  
दिनांक:.....

आवेदक का स्पष्ट नाम.....  
आवेदक/आवेदिका के हस्ताक्षर.....



## आवश्यक निर्देश एवं शुल्क विवरण

माननीय उच्चतम न्यायालय द्वारा रिट पिटीशन (सी) नं० 352/2023 गौरव कुमार बनाम यूनियन ऑफ इण्डिया एण्ड अदर्स में पारित आदेश दिनांक 30.07.2024 के परिप्रेक्ष्य में व माननीय उच्चतम न्यायालय द्वारा रिट पिटीशन (सिविल) नं० 82/2023 अजय शंकर श्रीवास्तव बनाम बार काउंसिल ऑफ इण्डिया एण्ड एनदर में पारित आदेश दिनांक 10.04.2023 व माननीय उच्च न्यायालय, इलाहाबाद द्वारा रिट सी नं० 42619/2023 पवन कुमार दूबे बनाम स्टेट ऑफ यू0पी0 एण्ड 3 अदर्स में पारित आदेश दिनांकित 21.12.2023 के परिप्रेक्ष्य में निम्नवत नियम बनाये जाते हैं :-

1. पंजीकरण फार्म अभ्यर्थी आनलाइन डाउनलोड कर सकते हैं, जिसका कोई शुल्क नहीं लिया जायेगा।
2. पंजीकरण फार्म के साथ सामान्य व पिछड़ी जाति के अभ्यर्थी को रूपये 600/- का बैंक ड्राफ्ट **Bar Council of Uttar Pradesh, Allahabad** के नाम से तथा रूपये 150/- का बैंक ड्राफ्ट **Bar Council of India Collection Fund Account, Allahabad** के नाम से तथा अनुसूचित जाति/अनुसूचित जनजाति के अभ्यर्थी को रूपये 100/- का बैंक ड्राफ्ट **Bar Council of Uttar Pradesh, Allahabad** के नाम से तथा रूपये 25/- का बैंक ड्राफ्ट **Bar Council of India Collection Fund Account, Allahabad** के नाम से देय होगा।
3. फार्म जमा होने के पश्चात् एक माह के भीतर सभी शैक्षणिक प्रमाण-पत्र/अंकपत्र संबंधित बोर्ड व विश्वविद्यालय को सत्यापन हेतु प्रेषित कर दिया जाएगा। साथ ही पुलिस वेरिफिकेशन के लिए प्रत्येक जिले के वरिष्ठ पुलिस अधीक्षक/पुलिस अधीक्षक को एक माह के अन्दर पुलिस वेरिफिकेशन हेतु भेज दिया जाएगा।  
साथ ही वरिष्ठ पुलिस अधीक्षक/पुलिस अधीक्षक को इस आशय के साथ पत्र भेजा जायेगा कि यदि किसी अभ्यर्थी के विरुद्ध कोई मुकदमा लम्बित है, तो 45 दिन के अन्दर आख्या प्रेषित करें तथा जिन अभ्यर्थियों के विरुद्ध कोई मामला लम्बित नहीं है, उनके सम्बन्ध में किसी प्रकार की आख्या देने की आवश्यकता नहीं है। यदि 45 दिन के अन्दर सम्बन्धित अभ्यर्थी के विरुद्ध कोई आख्या प्राप्त नहीं होती है तो यह मान लिया जायेगा कि उक्त अभ्यर्थी के विरुद्ध कोई मुकदमा पंजीकृत नहीं है।
4. पुलिस वेरिफिकेशन व शैक्षणिक प्रमाण-पत्रों के सत्यापन के पश्चात् संबंधित लिपिक 15 दिवस के अन्दर अपनी आख्या के साथ सभी पत्रावलियां सचिव, बार काउंसिल, उ0प्र0 के सम्मुख काउण्टर-साइन हेतु प्रस्तुत करेंगे।
5. सचिव, बार काउंसिल, उ0प्र0 अगले 15 दिवस के भीतर काउण्टर-साइन के पश्चात् संबंधित पत्रावली पंजीकरण विभाग को अग्रसारित करेंगे।
6. पंजीकरण विभाग के संबंधित कर्मचारी पत्रावली प्राप्ति की दिनांक से 30 दिवस के भीतर पंजीकरण समिति के समक्ष उक्त पत्रावलियां प्रस्तुत करेंगे।
7. सभी पंजीकरण समितियों से अपेक्षित है कि ऐसी पत्रावलियां जो उनके सम्मुख प्रस्तुत हों, उन्हें अपनी सुविधानुसार सम्बन्धित प्रार्थीगण को व्यक्तिगत साक्षात्कार के लिए सचिव, बार काउंसिल ऑफ उत्तर प्रदेश को सूचित कर तीन सप्ताह के अन्दर तिथि निश्चित करके बुलायेंगे, तदोपरान्त शीघ्र निर्णय लेंगे। यदि अभ्यर्थी साक्षात्कार में उत्तीर्ण नहीं होते हैं तो 03 माह बाद पुनः साक्षात्कार लिया जायेगा।
8. इस समस्त प्रक्रिया के पश्चात् अस्थायी पंजीकरण प्रदान किया जायेगा जो दो वर्ष हेतु वैध एवं मान्य होगा।
9. दो वर्ष में प्रत्येक ऐसे अभ्यर्थी जिनका पंजीकरण हो चुका है, प्रत्येक वर्ष के पाँच मुकदमों स्वयं दाखिल किये हुये या बहस किये हुये या सहायक के रूप में कार्य किये हुये, जिनमें उनका नाम आया हो, का विवरण प्रस्तुत करेंगे व इसी बीच ऑल इण्डिया बार परीक्षा (AIBE) उत्तीर्ण करेंगे तत्पश्चात् ही स्थायी पंजीकरण प्रदान किया जायेगा। अन्यथा की स्थिति में देश-प्रदेश के न्यायालयों को सूचना प्रेषित की जायेगी कि अमुक अभ्यर्थी का अस्थायी पंजीकरण समाप्त हो चुका है व स्थायी पंजीकरण प्रदान नहीं किया गया है। अतः अभ्यर्थी अधिवक्ता व्यवसाय करने योग्य नहीं है।
10. स्थायी प्रमाण पत्र प्राप्त होने के बाद ही सी0ओ0पी0 के लिये आवेदन मान्य होगा और उस समय वांछित शुल्क लिया जायेगा।

(यदि आप अनुसूचित जाति या जनजाति के हैं, तो उसका उल्लेख यहां अवश्य करें तथा इस आशय का एक प्रमाण-पत्र जिलाधिकारी से प्राप्त करके अवश्य दाखिल करें।)





पत्र व्यवहार का पता स्पष्ट रूप में हिन्दी में भरें।

नाम .....

पिता/पति का नाम .....

पूर्ण पता .....

.....

मोबाइल नम्बर.....पिन कोड.....

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**Advocarte Information Form**  
**केवल स्थायी पता भरें**  
**आवेदक द्वारा हिन्दी में भरा जाये**

1. नाम श्री/कु०/श्रीमती.....
2. जन्म तिथि अंको में .....शब्दों में.....
3. पिता/पति का नाम श्री.....
4. विवाहित/अविवाहित.....
5. वर्ग (सामान्य/ओबीसी/एस०सी०/एस०टी०).....
6. मकान नं०.....
7. मो०/ग्राम.....
8. पोस्ट.....
9. थाना.....
10. जनपद.....
11. पिन 

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पासपोर्ट साइज  
फोटो कोट टाई में  
चिपकाये, जो कि  
प्रमाणित नहीं  
होगी।

**TO BE FILLED IN ENGLISH BY CANDIDATE**

1. NAME Sri / Km. / Smt.....
2. DATE OF BIRTH.....
3. FATHER / HUSBAND NAME SRI.....
4. MARITAL STATUS (Married/Unmarried).....
5. CATEGORY (Gen/Obc/Sc/St).....
6. HOUSE NO.....
7. MOH/VILL.....
8. POST.....
9. POLICE STATION .....
10. DISTRICT .....
11. PIN 

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Paste a  
Passport Size  
photograph,  
which would  
not attested

**For Office Use**

1. Application No.....
2. Enrollment No.....Date .....
3. Place of Practice.....

Signature Clerk

Signature Secretary

आवेदन पत्र संख्या ..... / .....

दिनांक .....

### परिशिष्ट

(पुलिस वेरीफिकेशन फार्म, अर्न्तगत आदेश माननीय उच्च न्यायालय, इलाहाबाद द्वारा रिट सी नं० 42619/23 के सम्बन्ध में)

पुलिस आयुक्त/वरिष्ठ पुलिस अधीक्षक/पुलिस अधीक्षक,

जनपद :- .....

उत्तर प्रदेश।

आपसे अनुरोध है कि अभ्यर्थी के आपराधिक इतिहास के सम्बन्ध में रिपोर्ट यथाशीघ्र बार काउंसिल ऑफ उत्तर प्रदेश, प्रयागराज को प्रेषित करने का कष्ट करें।

1. आवेदक/आवेदिका का नाम .....
2. पिता/पति का नाम .....
3. माता का नाम .....
4. पूर्ण पता .....
5. थाना .....
6. जिला .....
7. मोबाइल नं० .....
8. मुकदमों का विवरण .....

पुलिस आख्या



राज्य विधिज्ञ परिषद उत्तर प्रदेश  
19, महर्षि दयानन्द मार्ग, प्रयागराज उत्तर प्रदेश

**BAR COUNCIL OF UTTAR PRADESH**  
**19, Maharshi Dayanand Marg, Prayagraj, Uttar Pradesh**

Web Add: [www.upbarcouncil.com](http://www.upbarcouncil.com) , Email: [uttarpradeshbarcouncil@gmail.com](mailto:uttarpradeshbarcouncil@gmail.com)

निर्देश

Instructions



बार कौंसिल भवन

## प्रारूप शपथ-पत्र

(आवेदक द्वारा शपथ पत्र के रूप में आवेदन पत्र के साथ संलग्न किया जाये)

मैं.....पुत्र/पुत्री पत्नी श्री.....उम्र.....निवासी.....शपथ पूर्वक ब्यान करता हूँ कि

1. यह कि मैं जन्म से भारतीय हूँ।
2. यह कि मेरी जन्म तिथि.....है और मेरी उम्र 21 वर्ष से अधिक है।
3. यह कि मैं कभी अपराध में दण्डित नहीं हुआ हूँ।
4. यह कि मेरे विरुद्ध भारतीय दण्ड संहिता अथवा अन्य किसी एक्ट को कोई मुकदमा किसी फौजदारी न्यायालय में विचाराधीन नहीं है और न ही किसी अपराधिक केस में मेरी गिरफ्तार हुई न ही मेरे विरुद्ध पुलिस द्वारा कोई विवेचना चल रही है।
5. यह कि मैं कभी किसी नौकरी, व्यापार एवं व्यवसाय में कार्यरत नहीं हूँ।
6. यह कि मैं कभी किसी नौकरी, व्यापार में कार्यरत नहीं था और न इस समय हूँ।
7. यह कि मैंने इसके पूर्व किसी बार कौंसिल अथवा उच्च न्यायालय में अधिवक्ता पंजीकरण हेतु प्रार्थना-पत्र नहीं दिया है और न ऐसा कोई प्रार्थना-पत्र अस्वीकृत हुआ।
8. यह कि मैंने हाईस्कूल परीक्षा.....में उत्तीर्ण की है।
9. यह कि मैंने इण्टरमीडिएट की उपाधि सन्.....में उत्तीर्ण की है।
10. यह कि मैंने स्नातक की परीक्षा सन्.....में उत्तीर्ण की है।
11. यह कि मैंने विधि स्नातक की परीक्षा सन्.....में उत्तीर्ण की है।
12. यह कि मैंने विधि स्नातक कक्षा में प्रवेश (मेरिट अथवा प्रवेश परीक्षा) के आधार बार कौंसिल आफ इण्डिया द्वारा सम्बद्धीकृत विद्यालय से प्राप्त किया है। (यदि हाई स्कूल से लेकर आवेदन पत्र देने की तिथि तक की अवधि में प्रार्थी का किसी कारणवश विश्राम हो अथवा अनुत्तीर्ण हुआ हो अथवा परीक्षा में न बैठा हो, तो उसका स्पष्टीकरण शपथ पत्र में उल्लिखित करें)
13. यह कि मेरे हाई स्कूल प्रमाण पत्र से लेकर विधि स्नातक के प्रमाण पत्र तक में नाम तथा सरनेम की कोई विभिन्नता नहीं है।
14. यह कि अधिवक्ता के रूप में बार कौंसिल द्वारा पंजीकृत किये जाने के बाद मेरे विरुद्ध **Moral Turpitude** के अन्दर आने वाला कोई भी आपराधिक वाद या एफ0आई0आर0 कायम होता है तो मैं उपरोक्त आपराधिक वाद से सम्बन्धित प्रथम सूचना रिपोर्ट या यदि परिवाद कायम होता है तो परिवाद की प्रतिलिपि उत्तर प्रदेश बार कौंसिल को उक्त तथ्य की जानकारी होने की तिथि से तीन माहके अन्दर रजिस्टर्ड डाक से प्रेषित कर दूंगा। इस बात को सुनिश्चित करूंगा कि परिवाद या एफ0आई0आर0 की प्रति बार कौंसिल को मिल गई है।  
(अ) उपरोक्त परिवाद या मुकदमे जो भी अन्तिम निर्णय की सत्य प्रतिलिपि को भी निर्णय की तिथि से तीन माह के अन्दर बार कौंसिल आफ उत्तर प्रदेश को सत्य प्रतिलिपि के साथ रजिस्टर्ड डाक से प्रेषित करूंगा और सुनिश्चित करूंगा कि प्रति मिल गई है।  
(ब) यह कि अधिवक्ता के यप में पंजीकृत होने के पश्चात यदि मैं अपने जीवन यापन हेतु किसी अन्य व्यापार, व्यवसाय या नौकरी या अन्य व्यवसाय को जीविकोपार्जन के साधन के रूप अपनाता हूँ तो मेरे द्वारा पंजीकरण प्रमाण पत्र तत्काल बा कौंसिल उत्तर प्रदेश के कार्यालय में समर्पित कर दिया जायेगा और ऐसा न करने पर मैं भा0द0वि0 के अन्तर्गत तत्काल का दोषी माना जाऊंगा  
(स) यह कि आवेदन पत्र में मेरे द्वारा की गई घोषणा मेरे व्यक्तिगत ज्ञान में सत्य है तथा कोई भी तथ्य मेरे द्वारा छिपाया नहीं गया है।
15. यह कि मैंने शैक्षिक प्रमाणपत्र / सेवानिवृत्ति प्रमाण पत्र की स्वप्रमाणित प्रतिलिपि दाखिल की है, वे पूर्णतया सही हैं। यदि वे गलत पाये जाते हैं तो बार काउन्सिल उत्तर प्रदेश को यह अधिकार होगा कि वह पंजीकरण निरस्त कर दें और अन्य कार्यवाही करने के लिये बार काउन्सिल उत्तर प्रदेश स्वतंत्र हैं
16. कोई विशेष उल्लेख।  
यह कि शपथ-पत्र के उपर्युक्त पैराग्राफ 1 से .....तक मेरे व्यक्तिगत ज्ञान एवं विश्राम में सत्य है, इसमें कोई भी बात झूठ नहीं है। भगवान मेरी सहायता करें।  
आज दिनांक.....स्थान.....पर सत्यापित किया।

शपथकर्ता / शपथकर्ती

## आवेदन पत्र भरने हेतु आवश्यक निर्देश

अधिवक्ता पंजीकृत के लिए दिये जाने वाले आवेदन-पत्र में निम्नलिखित बातों का होना अनिवार्य है।

1. आवेदक का नाम अंग्रेजी और हिन्दी दोनों भाषाओं में एक हो।
2. प्रपत्र में निर्दिष्ट सभी उपयुक्त स्थानों पर आवेदक/आवेदिका के हस्ताक्षर हो।
3. दिनांक 01 जनवरी 2015 से आवेदक/आवेदिका द्वारा अपना या अपने पिता /पति का वोटर कार्ड/आधार कार्ड/फोटोयुक्त निवास प्रमाण पत्र की स्वप्रमाणित प्रति आवेदन पत्र के साथ संलग्न करना अनिवार्य है, उपरोक्त के बिना पंजीकरण होना सम्भव न होगा।
4. हाईस्कूल, इन्टर, स्नातक एवं विधि स्नातक (एल0एल0बी0) की परीक्षाओं के अंक पत्र व प्रमाण पत्र की स्वप्रमाणित 2 सेट फोटो कापी दाखिल करें।
5. 500/ (पाँच सौ रुपये) का सामान्य मुद्रांक पत्र (Non Judicial) जो उत्तर प्रदेश सरकार के पक्ष में जमा होगा, लगाना आवश्यक है, जो कि आवेदक अपने नाम से खरीदे।
6. यदि विधि स्नातक प्रमाण पत्र प्राप्त न हुआ हो तो एल0एल0बी0 परीक्षा के अन्तःकालीन (प्रोविजनल) मूल प्रमाण पत्र दाखिल करें।
7. यदि हाईस्कूल का मूल प्रमाणपत्र उपलब्ध न हो तो किसी राजपत्रित अधिकारी द्वारा प्रमाणित परिणाम प्रदर्शित राजपत्र के उद्धरण, साथ में इस आशय का शपथ पत्र भी हो कि अमुक उद्धरण केवल आवेदन से ही सम्बन्धित है।
8. यदि आवेदन कभी नौकरी में रहा है तो सेवानिवृत्ति (रिटायरमेन्ट), त्याग पत्र अथवा उन्मुक्ति (डिस्चार्ज) के कारण नौकरी छोड़ने के प्रमाण पत्र की स्वप्रमाणित छायाप्रति संलग्न करें।
9. नोटरी द्वारा प्रमाणित शपथ-पत्र दस रुपये के मुद्रण पत्र पर होनी चाहिये। शपथ-पत्र का प्रारूप इस पृष्ठ के दूसरी ओर अंकित है।
10. यदि आप अनुसूचित जाति के हैं तो अपना जाति प्रमाण-पत्र मूल के साथ प्रतिलिपि दाखिल करें।
11. पाँच पासपोर्ट साइज के फोटो ग्राफ जो कोट टाई या बन्द गले का कोट या शेरवानी में ही, आवेदन पत्र में निर्धारित स्थान पर लगाकर आवेदनपत्र में दिये गये निर्देशानुसार किसी प्रथम श्रेणी के मजिस्ट्रेट/जज, बार कौंसिल के निर्वाचित सदस्य द्वारा प्रमाणित होने चाहिये।
12. चरित्र प्रमाण पत्र किसी प्रथम श्रेणी के मजिस्ट्रेट, जज, बार कौंसिल आफ उत्तर प्रदेश के निर्वाचित सदस्य अथवा दस वर्ष से अधिक अवधि के पंजीकृत अधिवक्ता द्वारा दिया जाना चाहिये।  
(अ) पूर्ण विवरण नाम, पदनाम का स्पष्ट उल्लेख करते हुए प्रमाण दिया जाये।  
(ब) यदि अधिवक्ता द्वारा चरित्र प्रमाणित किया जाता है। तो उसका पंजीकरण संख्या तथा वे अभ्यर्थी के स्थायी निवास के निवासी होने चाहिये।
12. यदि आप प्लीडर हो तो कृपया उसका प्रमाण पत्र अवश्य संलग्न करें साथ में जिला जज द्वारा प्राप्त एक पत्र भेजें कि आप कब प्लीडर के रूप में पंजीकृत रहकर वकालत किये हैं।
13. पंजीकरण के पश्चात उत्तर प्रदेश अधिवक्ता कल्याण निधि न्यासी समिति, लखनऊ द्वारा संचालित "अधिवक्ता भविष्य निधि योजना" की सदस्यता हेतु आवेदन करें। योजना का लाभ उठायें।
14. आवेदक द्वारा अपना वैधानिक पहचान पत्र एव पत्र के प्रमाण पत्र की स्वप्रमाणित छाया प्रति आवेदन पत्र के साथ संलग्न करना अनिवार्य है।
15. यदि आवेदक द्वारा किसी विभाग में सेवारत रहते हुए विधि स्नातक की शिक्षा प्राप्त की गई है तो सम्बन्धित विभाग द्वारा विधि स्नातक की शिक्षा प्राप्त करने की अनुमति सम्बन्धित प्रपत्र आवेदन पत्र के साथ अवश्य संलग्न करें।

**नोट-** सभी मूल प्रमाण पत्रों की स्वप्रमाणित छायाप्रति के दो सेट एवं प्रोविजनल प्रमाण पत्र को ठीक से नत्थी करके कार्यालय में जमा करके रसीद प्राप्त करें।

**नोट-** माह के प्रत्येक मंगलवार एवं द्वितीय बुधवार तथा राजकीय अवकाश के दिन कार्यालय बन्द रहेगा।

**सचिव**  
**बार कौंसिल आफ उत्तर प्रदेश**

**Extract of relevant rules framed by the Bar Council of India  
(As amended upto 31st July 1995)**

**PART-VI**

**RULES GOVERNING ADVOCATES**

**CHAPTER-I**

**RESTRICTIONS ON SENIOR ADVOCATES**

**(Rules under Sections 16 (3) and 49 (i) (g) of the Act)**

Senior Advocates shall in the matter of their practice of the profession of law mentioned in Section 30 of the Act, be subject to the following restrictions:

- (a) A Senior Advocate shall not file a vakalatnama or act in any Court, or Tribunal, or before any person or other authority mentioned in Section 30 of the Act.

Explanation: "To Act" means to file an appearance or any pleading or application in any court, to Tribunal or before any person or other authority mentioned in Section 30 of the Act, or to do any act other than pleading required or authorised by law to be done by a party in such Court, or Tribunal, or before any person or other authority mentioned in the said Section either in person or by his recognised agent or by an advocate or an attorney on his behalf.

- (b) (i) A Senior Advocate shall not appear without an Advocate on Record in the Supreme Court or without an Advocate in Part II of the State Roll in any court, or Tribunal, or before any person or other authorities mentioned in Section 30 of the Act.
- (ii) Where a Senior Advocate has been engaged prior to the coming into force of the Rule in this Chapter, he shall not continue thereafter unless an Advocate in Part II of the State Roll is engaged along with him. Provided that a Senior Advocate may continue to appear with or without an Advocate in Part II of the State Roll in cases in which he had been briefed to appear for the prosecution or the defence in a criminal case, if he was so briefed before he is designated as a senior Advocate or before coming into operation of the rules in this Chapter as the case may be.
- (c) He shall not accept instructions to draft pleadings or affidavits, advice on evidence or to do any drafting work of an analogous kind in any Court or Tribunal, or before any person or other authority mentioned in Section 30 of the Act or undertake convincing work of any kind whatsoever. This restriction however shall not extend to setting any such matter as aforesaid in consultation with an Advocate in Part II of the State Roll.
- (cc) A Senior Advocate shall, however, be free to make concessions or give undertakings in the course of arguments on behalf of his clients on instructions from the junior advocate.
- (d) He shall not accept directly from a client any brief of instructions to appear in any Court or Tribunal, or before any person or other authority in India.
- (e) A Senior Advocate who had acted as Advocate (Junior) in a case, shall not after he has been designated as a Senior Advocate advise on grounds of appeal in a Court of Appeal or in the Supreme Court, except with an Advocate as aforesaid.
- (f) A Senior Advocate may, in recognition of the services rendered by an Advocate in Part II of the State Roll appearing in any matter pay him a fee which he considers reasonable.

**CHAPTER-II**

**Standards of Professional Conduct and Etiquette**

**(Rules under Section 49 (1) (c) of the Act read with the Proviso thereto)**

**Preamble**

An advocate shall, at all times, comport himself in a manner befitting his status as an officer of the Court, a privileged member of the community, and a gentleman, bearing in mind that what may be lawful and moral for a person who is not a member of the Bar, or for a member of the Bar in his non-professional capacity may still be improper for an Advocate. Without prejudice to the generality of the foregoing obligation, an Advocate shall fearlessly uphold the interests of his client, and in his conduct conform to the rules hereinafter mentioned both in letter and in spirit. The rules hereinafter mentioned contain of conduct and etiquette adopted as general guides; yet the specific mention thereof shall not be construed as a denial of the existence of other equally imperative though not specifically mentioned.

**Section 1- Duty to the Court.**

- 1: An Advocate shall, during the presentation of his case and while otherwise acting before a Court, conduct himself with dignity and self-respect. He shall not be servile and whenever there is proper ground for serious complaint against a judicial officer, it shall be his right and duty to submit his grievance to proper authorities.
2. An Advocate shall maintain towards the Courts a respectful attitude, bearing in mind that the dignity of the judicial office is essential for the survival of free community.
3. An Advocate shall not influence the decision of a Court by any illegal or improper means. Private communications with a judge relating to a pending case are forbidden.
4. An Advocate shall use his best efforts to restrain and prevent his client from resorting to sharp or unfair practices or from doing anything in relation to the court, opposing counsel or parties which the Advocate himself ought not to do. An Advocate shall refuse to represent the client who persists in such improper conduct. He shall not consider himself a mere mouth-piece of the client and shall exercise his own judgment in the use of restrained language in correspondence, avoiding scurrilous attacks in pleadings, and using intemperate language during arguments in Court.
5. An Advocate shall appear in court at all times only in the prescribed dress, and his appearance shall always be presentable.
6. An Advocate shall not enter appearance, act, plead or practise in any way before a Court, Tribunal or Authority mentioned in

- Section 30 of the Act, if the sole or any member thereof is related to the Advocate as father, grandfather, son, grand-son, uncle, brother, nephew, first cousin, husband, wife, mother, daughter sister, aunt, niece, father-in-law, mother-in-law, son-in-law, brother-in-law, daughter-in-law or sister-in-law.
7. For the purposes of this rule, Court shall mean a Court, Bench or tribunal in which above mentioned relation of the advocate is a judge, Member or the Presiding Officer. .
  9. An Advocate shall not wear bands or gown in public places other than in Courts except on' such ceremonial occasions and at such places as the Bar Council of India or the Court may prescribe. An Advocate shall not appear in or before any Court or Tribunal or any other authority for or against an organisation or an institution, society or corporation, if he is a member of the Executive Committee of such orqanistion or institution or society- or corporation. "Executive Committee", by whatever name it may be called, shall include any Committee or body of persons which, for the time being, is vested with the general management of the affairs of the organisation or institution, society or corporation. Provided that this rule shall not apply to such a member appearing as "amicus curiae" or without a fee on behalf of a Bar Council, Incorporated Law Society or a Bar Association.
  10. An Advocate should not act or plead in any matter in which he is himself peculiarly interested.

**Illustration:**

- I. He should not act in a bankruptcy petition when he himself is also a creditor of **the bankrupt**.
- II. He should not accept a brief from a company of which he is Director. An Advocate shall not stand as a surety, or certify the soundness of a surety for his client required for the purpose of any legal proceedings.

**Section II Duty to the Client**

11. An Advocate is bound to accept any brief in the Courts or Tribunals or before any other authority in or before which he proposes to practice fee consistent with his standing at the Bar and the nature of the case. Special circumstances may justify hi? refusal to accept a particular brief.
12. An Advocate shall not ordinarily withdraw from engagements, once accepted, without sufficient cause and unless reasonable and sufficient notice is given to the client. Upon his withdrawal from a case, he shall refund such part of the fee as has not been earned.
13. An Advocate should not accept a brief or appear in a case in which he has reason to believe that he will be a witness, and if being engaged in a case, it becomes apparent that he is awitness on a material question of fact, he should 'not continue to appear as an Advocate if he can retire without jeopardising his client's interests. . An
14. Advocate shall, at the commencement of his engagement and during the continuance thereof, make all such full and frank disclosures to his client relating to his connection with the parties and any interest in or about the controversy as are likely to affect his client's judgement in either engaging him or continuing the engagement.
15. It shall be the duty of an Advocate fearlessly to uphold the interests of his client by all fair and honourable means without regard to any unpleasant consequences to himself or any other. He shall defend a person accused of a crime regardless of his personal opinion as to the guilt of the accused, bearing in mind that his loyalty is to the law which requires that no man should be convicted without adequate evidence.
16. An Advocate appearing for the prosecution of a criminal trial shall so conduct the prosecution that it does not lead to conviction of. The innocent. The suppression of material capable of establishing the innocence of the accused shall be scrupulously avoided
17. An Advocate shall not, directly or indirectly, commit a breach of the obligations imposed by Section 126 of the Indian Evidence Act.
18. An Advocate Shall not, at any time, be a party to fomenting of litigation.
19. An Advocate Shall act on the instructions of any person other than his client or his authorised agent.
20. An Advocate shall not stipulate for a fee contingent on the results of litigation or agree to share the proceeds thereof.
21. An Advocate shall not buy or traffic in or stipulate for or agree to receive any share or interest in any actionable claim. Nothing in this rule shall apply to stock, shares and debentures of government securities, or to any instruments which are, for the time being by law or custom, negotiable or to any mercantile document of title to goods
22. An Advocate shall not, directly or indirectly, bid for or purchase, either in his own name or in any other name, for his own benefit or for the benefit of any other person, any property sold in the execution of a decree or order in any suit, appeal or other proceeding in which he was in any way professionally engaged. This prohibition, however, .does not prevent an Advocate from bidding for or purchasing for his client any property which his client may himself legally bid for or purchase, provided the Advocate is expressly authorised in writing in this behalf.
23. An Advocate shall not adjust fee payable to him by his client against his own personal liability to the client, which liability does not arise in the course of his employment as an Advocate.
24. An Advocate shall not do anything whereby he abuses or takes advantage of the confidence reposed in him by his client.
25. An Advocate should keep accounts of the client's money entrusted to him, and the accounts should show the amounts received from the client or on his behalf, the expenses incurred for him and debits made on account of fees with respective dates and all other necessary particulars
26. Where moneys are received from or on account of a client, the entries in the accounts should contain a reference as to whether the amounts have been received for fees or expenses, and during the coursed the proceedings no Advocate shall, except with the consent in writing of the client concerned. be at liberty to divert any portion of the expenses towards fees.
27. Where any amount is received or given to him on behalf of his client; the fact of such receipt must be intimated to the client, as early as possible.
28. After the termination of the proceeding, the Advocate shall be at liberty to appropriate towards the settled fee due to him, any sum remaining unexpended out of the amount paid or sent to him for expenses, or any amount that has come into his hands in that proceeding
29. Where the fee has been left unsettled, the Advocate shall be, entitled to deduct, out Of any moneys of the client remaining in his hands, at the termination of the proceeding for which he had been engaged the fee payable under the rules of the Court, in force for the time being, or by then settled and the balance, if any, shall be refunded to the client
30. A copy of the client's account shall be furnished to him on demand provided the necessary copying charge is paid.
31. An Advocate shall not enter into arrangements whereby funds in his hands are converted into loans.



32. An Advocate shall not lend money to his client for the purpose of any action or legal proceedings in which he is engaged by such client

**Explanation.** An Advocate shall not be held guilty for a breach of this rule, if in the course a pending suit or proceeding, without any arrangement with the client in respect of the same, the Advocate feels compelled by reason of the rule of Court to make a payment to the court on account of the client for the progress of the suitor proceeding

33. An Advocate who has, at any time advised in connection with the institution of a suit, appeal or other matter or has drawn pleadings, or acted for a party, shall not act, appear or plead for the opposite party.

### Section III-Duty to Opponent

34. An Advocate shall not in any way communicate or negotiate upon the subject matter of controversy with any party represented by an Advocate except through that Advocate.
35. An Advocate shall do his best to carry out legitimate promises made to the opposite party even though not reduced to writing or enforceable under the rules of the Court.

### Section IV-Duty to Colleagues

36. An Advocate shall not solicit work or advertise, either directly or indirectly, whether by circulars, advertisements, touts, personal communication, interviews not warranted by personal relations, furnishing or inspiring newspaper comments or producing his photograph to be published in connection with cases in which he has been engaged or concerned. His sign-board or name-plate should be of a reasonable size. The sign-board or name-plate or stationery should not indicate that he is or has been President or Member of a Bar Council or of any Association or that he has been associated with any person or organization or with any particular cause or matter or the specialises in any particular type of work or that he has been a judge or an advocate general.
37. An Advocate shall not permit his professional services or his name to be used in aid of or to make possible, the unauthorised practice of law by any agency.
38. An Advocate shall not accept a fee less than the fee taxable under the rules when the client is able to pay the same.
39. An Advocate shall not enter appearance in any case in which there is already a vakalat or memo of appearance filed by an Advocate engaged for a party except with his consent; in case such consent is not produced he shall apply to the Court stating reasons why the said consent should not be produced and he shall appear only after obtaining the permission of the Court.

### Section IV-A

40. Every Advocate borne on the rolis of the State Bar Council shall pay to the State Bar Council a sum of Rs. 90/- every third year commencing from 1 st April, 1993 along with a statement of particulars as given in the form set out at the end of these Rules, the first payment to be made on or before 1 st April, 1993 or such extended time as notified by the Bar Council of India or the concerned State Bar Council.

Provided further however that an advocate shall be at liberty to pay in lieu of the payment of Rs. 90/- every three years a consolidated amount of Rs. 300/- .. This will be a life time payment to be kept in the fixed deposit by the concerned State Bar Council and interest to be used or the purpose of the rule. However, payment made by the concerned Advocate before this consolidated payment shall be exclusive of it and no credit shall be given for the payment, but those advocates who have paid consolidated amount of Rs. 200/- only as a consolidated, Rs. 100/- will be required to pay.

**Explanation 1 :** Statement of particulars as required by rule 40 in the form set out shall require to be submitted only once in three years.

**Explanation 2 :** All Advocates who are in actual practice and not drawing salary or not in full time service and not drawing any from their respective employers are only required to pay the amount referred to in this rule.

**Explanation 3 :** This rule will be effective from 1.4.1994 and for period prior to this Advocates will continue to be covered by old Rule.

41. (1) All the sums so collected by the State Bar Council in accordance with Rule 40 shall be credited in a separate fund known as "Bar Council of India Advocates Welfare Fund for the State" and shall be deposited in the bank as provided hereunder.
- (2) The Bar Council of India Advocates Welfare Fund Committee for the State shall remit 20% of the total amount collected and credited to its account, to the Bar Council of India by the end of every month which shall be credited by the Bar Council of India and the Bar Council of India shall deposit the said amount in a separate fund to be known as "BAR COUNCIL OF INDIA ADVOCATES WELFARE FUND". This fund shall be managed by the Welfare Committee of the Bar Council of India in the manner prescribed from time to time by the Bar Council of India for the Welfare of the Advocates.
- (3) This rest 80% of the total sum so collected by the Bar Council of India Advocates Welfare Fund Committee for the State under Rule 41 (1) shall be utilised for the welfare of advocates in respect of Welfare Schemes sponsored by the respective State Bar Councils and this fund shall be administered by the Advocates Welfare Committee for the State Which shall submit its report annually to the Bar Council of India.

42. If any advocate fails to pay the aforesaid sum within the prescribed time as provided under rule 40, the Secretary of the State Bar-Council shall issue to him a notice to show cause within a month why his right to practice be not suspended. In case the advocate does not pay the amount or fails to show sufficient cause, a Committee of three members constituted by the State Bar Council in this behalf may pass an order suspending the right of the advocate to practise. Provided that the order of suspension shall cease to be in force when the advocate concerned pays the amount along with a late fee of Rs. 50/- and obtain a certificate in this behalf from the State Bar Council.
43. An advocate who has been convicted of an offence mentioned under section 24A of the Advocates Act or has been declared insolvent or has taken full time service or part time service or engages in business or any avocation inconsistent with his practising as an Advocate or has incurred any disqualification mentioned in the Advocates Act or the rules made thereunder, shall send a declaration to that effect to the respective State Bar Council in which the Advocate is to show sufficient cause for not filling such declaration provided therefore the Committee constituted by the State Bar Council under rule 42 may pass orders suspending the right of the advocate to practise.

Provided that it shall be open to the Committee to condone the delay on an application being made in this behalf. Provided further that an advocate who had after the date of his enrolment and before the coming into force of this rule, become subject to any of the disqualifications mentioned in this rule, shall within a period of ninety days of the coming into force of this rule send declaration referred to in this rule to the respective State Bar Council in which the Advocate is enrolled and on failure to do so by such Advocate all the provisions of this rule would apply.

44. An appeal shall lie to the Bar Council of India at the instance of an aggrieved advocate within a period of thirty

- days from the date of the order passed under rules 42 and 43.
- 44A. (1) There shall be a Bar Council of India Advocates welfare Committee. consisting of five members elected from amongst the members of the Council. The term of the members of the committee shall be co-extensive with their time in the Bar council of India.
- (2) (i) Every State Council shall have an Advocate Welfare Committee known as Bar Council of India Advocates Welfare Committee for the State.  
(ii) The Committee shall consist of member Bar Council, of India from the State concerned. who shall be the Ex-Officio Charmin of the Committee and two mem hers elected from amongst the members.  
(iii) The Secretary of the State Bar Council concerned will act.as Ex-Officio Secretary of the Committee.  
(iv) The term of the member, Bar Council of India in the Committee shall be co-extensive with his term in the 'Bar Council of India.  
(v) The term of members elected from the State Bar Council shall be two years.  
(vi) Two members of the Committee will form a quorum of any meeting of the Committee.
- (3) Every State Bar Council shall open an account in the name of the Bar Council of India Welfare Committee for the State, in any Nationalised Bank. "
- (4) No amount shall be withdrawn from the Bank unless that cheque is signed by the Chair man of the Welfare Committee and its Secretary.
- (5) The State Bar Council shall implement Welfare Schemes approved by the Bar Council of India through Advocates Welfare Committee as constituted under sub-clause (2) (i). The State Bar Councils may suggest suitable modifications in the Welfare Schemes or suggest more schemes, but such modifications or such suggested schemes shall have effect only after approval by the Bar Council of India.
- (6) The State Bar Council shall maintain separate account in respect of the Advocate Wel fare Fund which shall be audited annually along with other accounts of the State Bar Council and send the same along with Auditors Report to the Bar Council of India.
- 44B The Bar Council of India shall utilise the funds received under Rule 41 (2) in accordance with the schemes which may be framed from time to time.

#### **Section V-Duty imparting training**

45. It is improper for an Advocate to demand or accept fees or any premium from any person as a consideration for imparting training in law under the rules prescribed by a State Bar Council to enable such portion to qualify for enrolment under the Advocates Act, 1961.

#### **Section VI-Duty to- Render Legal Aid ,**

46. Every Advocate shall in the practice of the profession of law bear in mind that anyone genuinely in need of a lawyer is enneo to legal assistance even though he cannot pay for it fully or adequately and that within the limits of an Adocate's economic condition, free legal assistance to the indigent and oppressed is one of the highest obligations an Advocate owes to society.
47. An Advocate shall not personally engage in any business but he may be sleeping partner in a firm doing business provided that, in the opinion of the appropriate State Bar Council, the nature of the business is not inconsistent with the dignity of the profession.
48. An Advocate may be Director or Chairman of the Board of Directors of a company with or without any ordinary sitting fee, provided none of his duties are of an executive character, an advocate shall not be a Managing Director or a Secretary of any company.
49. An Advocate shall not be a full time salaried employee of any person, government, firm, corporation or concern, so long as the continues to practice, and shall, on taking up any such employment, intimate the fact to the Bar Council on whose roll his name appears, and shall thereupon cease to practice as an advocate so long as he continues in such employment. Nothing in this rule shall apply to a Law Officer of the Central government of a State or of any Public Corporation or body with Section 24(1) (e) of the Act despite his being a full time salaried employee. Nothing in this rule shall apply to a Law Officer of the Central government of a State or of any Public Corporation or body constituted by statue who is entitled to be enrolled under that rules of his State Bar Council made under Section 28(2) (d) read with Section 24 (1) (e) of the Act despite his being a full time salaried employee. Law Officer for the purpose of this rule means a person who is so designated by the terms of his appointment and who, by the said terms, is requirea to act and/or plead in Courts on behalf of his employer.
50. An Advocate who has inherited, or succeeded by survivorship to, a family business may continue it, but may not personally participate in the management thereof.
51. An Advocate may review Parliamentary bills for a remuneration, edit leagal ttext books at a salary, do press vetting for newspapers, coach pupils for legal examination, set and examine question papers and subject to the rules against advertising and full time employment, engage in broad casting journalism, lecturing and teaching subjects, both legal and not legal.
52. Nothing in these rules shall prevent an Advocate from accepting, after obtaining the consent of the State Bar Council part time employment provided that in the opinion of the State Bar Council the nature of the employment does not conflict with his professional work and is not inconsistent with the dignity of the profession this rule shall be subject to such directives if any as may be issued by the Bar Council of India from time to time.

### **CHAPTER-III (Condition for right to practice) (Rules under Section 49 (1) (ah) of the Act.**

Even Advocate shall be under an obligation to see that his name appears on the roll of the State Council within whose jurisdiction he ordinary practices.

PROVIDED that if an advocate does not apply for transfer of his name to the roll of the State Bar Council within whose jurisdiction he is ordinarily practising within six months of the start of such practice it shall be Deemed that he is guilty of professional misconduct within the meaning of section 35 of the Advocates Act”.

2. An Advocate shall not enter into a partnership or any other arrangement for sharing remuneration with any person or legal practitioner who is not an advocate.

3. Every Advocate shall keep informed the bar council on the roll of which his name stands, of every change of his address.
4. The council or a state council can call upon an advocate to furnish the name of the state council on the roll of which his name is entered and call for other particulars.
5. (1) An Advocate who voluntarily suspends his practice for any reason whatsoever, shall intimate by registered post to the state bar council on the roll of which his name is entered, of such suspension together with his certificate of enrolment in original.
- (2) whenever any such advocate who has suspended his practice desire to resume his practice, he shall apply to the secretary of the state bar council for resumption of practice, along with an affidavit stating whether he has incurred any of the disqualifications under section 24A, chapter III of the Act during the period of suspension.
- (3) The Enrolment committee of the state bar council may order the resumption of his practice and return the certificate to his with necessary endorsement. If the Enrolment Committee is of the view that Advocates has incurred any of the disqualifications the committee shall refer the matter under proviso to Section 26(1) of the Act.
- (4) On suspension and resumption of practice the secretary shall act in terms of rule 24 of part IX.
6. (1) An Advocate whose name has been removed by order of the supreme Court or a High Court or the Bar Council as the case may be, shall not be entitled to practice the profession of law either before the court and authorities mentioned under section 30 of the Act, or in chambers, or otherwise
- (2) An Advocate who is under suspension shall be under same disability during the period of such suspension as an Advocate whose name has been removed from the roll.
7. An officer after his retirement or otherwise ceasing to be in service shall not practice for a period of two years in the area in which he exercised jurisdiction to one in which he held office.

RESOLVED that nothing in these Rules shall prevent any such person from practicing in any Court or tribunal or authority of superior jurisdiction to one in which he held office.

Explanation: 'Officer' shall include a judicial officer or authority as referred to in section 30 of Act.

'Area' shall mean area in which the person concerned exercising jurisdiction.

8. No Advocate shall be entitled to practice if in the opinion of the council he is suffering from such contagious disease as makes the practice of law a hazard to the health of others. This disqualification shall last for such period as the Council directs from time to time.

#### CHAPTER-IV

##### FROM OF DRESSES OR ROBES TO BE WORN BY ADVOCATES

(Rules under section 49 (1) of the Act)

Advocates appearing in the Supreme Court, High Court, Subordinate Courts, Tribunals or Authorities shall wear the following as part of their dress which shall be sober and dignified:-

##### ADVOCATES OTHER THAN LADY ADVOCATES

(a) a black buttoned up coat, chapkan, achkan black sherwani and white bands with Advocates' Gowns, or

(b) a block open breast coat, white shirt, white collar, stiff or soft, and white bands with Advocate's Gowns. In either case long trousers (white, black striped of grey) or Dhoti.

##### I. LADY ADVOCATES

(a) Black and full or half sleeve jacket or blouse, white collar stiff or soft, with white bands and Advocates' Gowns. White blouse, with or without collar, with white bands and with a black open breast coat.

OR

(b) Sarees or long skirts (White or black or any mellow or subdued color without any print or design) or Flare (White, black or black striped or grey) or Punjabi dress churidar-kurta or salwar-kurta with or without dupatta) white or black.

Provided that the wearing of Advocates' gown shall be optional except when appearing in the supreme Court in High Court.[ Provided further that in courts other than the supreme Court, High Court District Court, Sessions Court or city Civil Court a black tie may be worn instead of bands.]