

The U.P. Advocates Social Security Fund Scheme Rules, 1989

UTTAR PRADESH

India

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Rule

THE-U-P-ADVOCATES-SOCIAL-SECURITY-FUND-SCHEME-RULES-1989 of 1989

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011.

In exercise of the powers under Section 16 of the Uttar Pradesh Advocate Welfare Fund Act, 1974 (U.P. Act No. 6 of 1974), the Governor is pleased to make the following rules:

1. Short title and commencement

. - (i) These rules may be called the Uttar Pradesh Advocates Social Security Fund Scheme Rules, 1989.(ii)They shall come into force with effect from the date of their publication in the Gazette.

2. Definitions.

- In these rules unless the context otherwise requires -(a)"Act" means the Uttar Pradesh Advocates Welfare Fund Act, 1974 ;(b)"Bar Association" means the Bar Association affiliated to the State Bar Council;(c)"Form" means a form appended to these Rules ;(d)"Member-Secretary" means the Member-Secretary of the Trustees Committee;(e)"Office" means the office of the Trustees Committee ;(f)"Scheme" means Advocates Social Security Fund Scheme.

3. Office building furniture, etc.

- (i) There shall be established an office of Trustees Committee having its headquarters at Lucknow. (ii) The Trustees Committee shall provide office building, furniture, office equipments, stationery and the like things and materials as may be necessary for the functioning of the office.

4. Minutes of proceedings.

- The minutes of the proceedings of every meeting of Trustees Committee shall be prepared and entered in a book to be kept for that purpose immediately after the closure of the meeting and shall be signed by the Member-Secretary or any officer authorised in this regard by the trustees committee.

5. Application for Membership.

(1) Every application under Section 11 of the Act for admission as a member of the scheme shall be typed on full scape size water mark or stout paper in Form No. I and shall be signed by the applicant and attested by the President or Secretary of the Bar Association of which he is a member. (2) An advocate having membership of more than one Bar Association shall be eligible to apply to be admitted as a member of the scheme only from one of such Associations. (3) An advocate applying for membership of the scheme shall pay an admission fee at the rates specified in sub-section (2) of Section 11 of the Act in lumpsum with the application. (4) Payment of the admission fee shall be made to the office by means of crossed Demand Draft drawn in favour of the Uttar Pradesh Advocates Welfare Fund Trustees Committee at Lucknow on the State Bank of India. (5) On admission of members to the Scheme the Trustees Committee shall issue a certificate in Form No. II. (6) The Trustees Committee shall prepare and maintain a register of members of the Scheme in Form No. III. (7) Any decision of the Trustees Committee rejecting an application for admission as member to the Scheme shall be communicated to the applicant by post. (8) A member shall pay to the office annual subscription for every calendar year as per the rates specified in sub-section. (5) of Section 11 of the Act by means of crossed Demand Draft at Lucknow on the State Bank of India on or before the thirty-first day of December of that year.

6. Re-admissions to the Scheme.

(1) An application for re-admission as a member of the scheme shall be typed on a full scape size water mark or a stout paper in Form No. IV. (2) If any payments are to be made under sub-section (2) of Section 12 of the Act the same shall be made by means of crossed Demand Draft drawn in favour of the Uttar Pradesh Advocates Welfare Fund Trustees Committee at Lucknow on the State Bank of India.

7. Procedure for payment out of the Fund.

(1)The Trustees Committee may receive application for payment out of the Fund from a member or his nominee or his legal representatives, as the case may be, in Form No. V.(2)All amounts payable under Section 13 shall be made by account payee cheques signed by the Member Secretary.(3)Every application for payment out of the Fund shall, as far as possible, be disposed of within sixty days from the date of its receipt in the office.(4)All decisions of the Trustees Committee rejecting an application for payment out of the Fund shall be communicated to the applicant by post.

8. Information to the Courts.

- The Trustees Committee shall, as soon as the first list of members of the scheme is prepared, send copies thereof to all the Courts, Tribunals, authorities and persons before whom vakalatnama may be filed and thereafter, as soon as any additions are made to the said list, send by post extracts of such additions to all the aforesaid courts, tribunals, authorities and persons.

9. Annual statement from Bar Council.

(1)Trustees Committee may ask the State Bar Council to submit annual statements with regards to the enrolment of advocates, cessation if by reason of death, removal or suspension of certificate, and such other information as may be deemed necessary.(2)The State Bar Council shall pay the amount as required under Section 8 of the Act to the office by means of crossed demand draft drawn in favour of the Uttar Pradesh Advocates Welfare Fund Trustees Committee at Lucknow on the State Bank of India.

10. Inquiry

. - (1) On receipt of applications for payment out of the Fund under Section 13 of the Act, the office shall arrange the applications in the order of receipt and examine the same in accordance with such order.(2)The Trustees Committee may make such inquiry regarding the correctness or otherwise of the particulars made in the application from the State Bar Council or/and from the Bar Association, concerned and Districts or Sub-Divisional Officers or from such other agency as may be found necessary.(3)The Trustees Committee may, after such inquiry as may, in his opinion, be necessary and after giving the applicant a reasonable opportunity of being heard, reject the application.(4)The Trustees Committee shall have the power to regulate its own procedure in all matters arising out of the discharge of its functions, including the place or places at which he may hold its sittings.Form I[See Rule 5(1)]

Part I

Application for admission to Advocate Social Security Fund Scheme

1.

Full name and Address (in Block Letters)

2. Age and date of birth of applicant as entered in High School Certificate.
3. Date, year and number of enrollment under the Advocates Act, 1961:
4. Number of completed years of practice as an Advocate (On 1st January of the year in which the application is made)
5. Place or places of practice as an Advocate
6. Period of suspension or discontinuance of practice as an advocate, if any, with details of suspension and resumption.
7. Name and address of the nominee or nominees with the details in annexed proforma
8. Admission fee paid by bank draft No. dated on the banker.
9. Number and date of Affiliation/Renewal of the Bar Association with State Bar Council (of which he is a member)

I do
solemnly affirm
that the particulars
furnished above
are true and
correct.

Place:

Date:

Attested by:

President/Secretary of Bar Association

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Part II

I.....son of/daughter of.....hereby nominate the persons mentioned below to receive the amount that may stand to my credit in the Fund, in the event of my death before that amount has become payable, or having become payable has not been paid.

Date and Address of nominee	Relationship with the member	Age of nominee	Amount of share to be paid to each	Contingencies on the happening of which the nomination shall become invalid
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1

2

3

Dated this..... day of..... 19..... atTwo witnesses to Signature-

1.

2.

Signature of memberForm II[See Rule 5(5)]Certificate of MembershipThe U.P. Advocates Welfare Fund Trustees Committee certify that Sri/Smt.is admitted to the Membership of the Scheme under Section 11 of the Uttar Pradesh Advocates Welfare Fund Act, 1974 and registered at serial No.....(District/No)Date..... this..... day of..... 19.....SealBy order of Trustees CommitteeForm III[See Rule 5(6)]Form of Register of Members admitted to the Advocates Social Security Fund Scheme

Serial No.	Membership number	Name and Address of member	Name of Bar association of which he is a member	Date of birth	Date of enrollment as advocate	No. in state Roll of Advocate	Date of admission to the scheme	Remarks
1	2	3	4	5	6	7	8	9

Member-Secretary/Office of Trustees CommitteeForm IV[See Rule 6(1)]

Part I

Application for re admission to the Advocates Social Security

Fund Scheme :

1

Name and address (in Block Letters)

2

.....

	Date of birth of applicant as entered in High School Certificate	
3	Date, year and number of enrollment under the Advocates Act, 1961	.....
4	Number of completed years of practice as an advocate (On 1st January of the year in which the application is made)	.....
5	Place or places of practice	.....
6	Period of suspension or discontinuance of practice, if any, with details of suspension and resumption.	.....
7	Name and address of the nominee or nominees with details in proforma annexed with Form No. 1	.....
8	Amount and date of payment made, if any, under Section 12(2) (with particulars of the demand draft)	.....
9	Date of previous admission to the membership of the Scheme.	.....
10	Date of ceasing from the scheme.	.....

I.....do solemnly
affirm that the particulars
furnished above are true
and correct.

Place :

Date

Signature of the Applicant

Attested by President/Secretary of
the Bar Association.

Date:

Stamp:

Form V[See Rule 7 (1)] Application for payment from the Advocates Social Security Fund

1	Name, age and address of the applicant (in Block Letters)	.....
2	Name of the member	.....
3	Number and Date of Certificate of membership	.....
4	Reason for payment from the Fund	.....
5	If the applicant is other than the member -	.....
	(1) State the applicant's right in which he is entitled	.....

to receive payment from the Fund.

(2) Note. - Documentary proof, if any, of the right be
filed along with the application.

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(3) Give the particulars of the family or other near
relatives of the member and their respective addresses.

.....

Place:

Date :

Signature of Applicant