

# **Guidelines Made by the High Court of Orissa Relating to Designating Advocates as Senior Advocates Under Section 16(2) of The Advocates Act, 1961**

ODISHA

India

## **Guidelines Made by the High Court of Orissa Relating to Designating Advocates as Senior Advocates Under Section 16(2) of The Advocates Act, 1961**

### **Rule**

### **GUIDELINES-MADE-BY-THE-HIGH-COURT-OF-ORISSA-RELATING-TO of 1961**

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Guidelines Made by the High Court of Orissa Relating to Designating Advocates as Senior Advocates Under Section 16(2) of The Advocates Act, 1961Published under the authority of the High Court of Judicature, Orissa

**22nd. July 2004.**

Published in Orissa Gazette No.34 dated 20.8.2004.No.427-R. - Only such Advocates shall be designated as Senior Advocates, who by virtue of their ability, integrity, standing at the Bar, experience or special knowledge of law are deserving of such distinction and who do not have physical, mental or temperamental deficiencies, which might come in the way of proper discharge of functions as Senior Advocates, subject to following guidelines

### **1.**

He/She should have minimum standing of 10 years at the Bar as an Advocate out of which, the length of practice in this Court should be at least for seven years.Explanation -In computing the period during which a person has been an Advocate, there shall be included any period during which the person has held judicial officer or the office of the Member of a Tribunal or any post under the Union or a State requiring special knowledge of law after he became an Advocate.

**2.**

Ordinarily, he/she should be above 40 years of age. However, in deserving and exceptional cases, Advocates between the age of 35 to 40 years may be considered.

**3.**

The following information may be furnished by the Advocates concerned in the prescribed format for the purpose of proper assessment of their candidature(a)The gross professional income particularly relating to the past three years, net taxable income, and the tax paid during the above period.(b)Important matters in which he/she appeared :(if they are reported, citations may be given)(c)The date of enrolment with Bar Council and the number of years practice in Orissa High Court and other Courts and Tribunals.(d)Whether he/she is/was in any panel of Central/State Government or Public Sector/Statutory Bodies or Institutions? It so details thereof?(e)In case of a person who has held judicial office or the office of the Member of a Tribunal or any post under the Union or the State, the concerned Office or the post held by him and the periods during which he has held such office or post and the special knowledge of law required for discharging the functions of the office or the post.

**4.**

Advocates with less than three lakhs of gross professional income (annual) during the preceding 3 years shall not ordinarily be considered.

**5.**

A Special Committee of five Judges constituted by the Chief Justice shall first scrutinize the requests of the Advocates for being designated as Senior Advocates and make their recommendations which shall be placed before the Full Court.

**6.**

On a consideration of recommendations of the Committee the Full Court may, by a majority of  $\frac{3}{4}$ th of the total number of Judges present, decide to designate the Advocate as Senior Advocate.

**7.**

The Special Committee or the Full Court shall not be required to record the reasons of non-inclusion or rejection on deferment of the name of any Advocate in respect of the conferment of the distinction of designation as Senior Advocate.

**8.**

The Registrar shall notify the result of the proposal to the Advocate concerned when the proposal is accepted. Intimation shall also be sent to the High Court Bar Association, Bar Council of the State, Bar Council of India and the Registrar, Supreme Court of India and the Registrars of other High Courts.

**9.**

The proposal/application once rejected shall not ordinarily be entertained not shall be renewed for a period of two years there from. Format Prescribed For Furnishing Information For Designating An Advocate As A Sr. Advocate

**1. Name of the Advocate :**

**2. Present Address ;**

**3. Permanent Address :**

**4. Date of Birth :**

**5. Educational Qualification :**

**6. Date of enrolment as an Advocate and place of enrolment :**

**7. Number in the Roll of Advocates maintained by the State Bar Council and date thereof.**

**8. Number of years of practice and in which Court.**

**9. If specialised in any stream**

**10. (a) Whether he/she has been a Chamber-junior to any Lawyer. If so, name of such lawyer and the period held as such.**

(b) Whether any junior law yer is attached to his/her chambers. If so, names of such lawyers and the period held as such.

**11. Whether he/she is an assessee under the Income-Tax Act in respect of his/her professional income, if yes, PAN No. and the gross professional income shown in the return for the three years previous the date of furnishing of this information.**

**12. Whether he/she has held any post or any office under the State or Central Government or any judicial office or the office of a member of any Tribunal, if so, for what period, and the special knowledge of law required for discharging functions of the office or the post.**

**13. Reference to any important matter in which he/she appeared.**

**14. Whether he/she is/was in any panel of the Central/State Government or public sector/statutory bodies or Institutions. If so details thereof.**

**15. Whether his/her name was earlier proposed for being designated as Senior Advocate of the Orissa High Court or any other High Court or of the Supreme Court of India. If so, the decision thereon.**

**16. Whether he/she attached or participated in any legal aid work.**

Date \_\_\_\_\_ Signature of the Advocate furnishing information \_\_\_\_\_