

# Sikkim Advocates Act, 1981

SIKKIM

India

## Sikkim Advocates Act, 1981

### Act 1 of 1981

- Published on 1 January 1981
- Commenced on 1 January 1981
- [This is the version of this document from 1 January 1981.]
- [Note: The original publication document is not available and this content could not be verified.]

Sikkim Advocates Act, 1981(Act No. 1 of 1981)Last Updated 9th March, 2020

### 30. [03.1981]

An Act to Provide for appearance of Advocates in different courts in Sikkim.Be in enacted by the Legislature of Sikkim in the Thirty-second Year of the Republic of India as follows:

#### 1. Short title, extent and commencement.

(1)This Act may be called the Sikkim Advocates Act, 1981.(2)It extends to the whole of Sikkim.(3)It shall be deemed to have come into force on the 24th day of November, 1980.

#### 2. Definitions.

- In this Act, unless the context otherwise requires,(a)"Advocate" means an Advocate entered in any roll under the provisions of the Advocates Act, 1961 (No. 25 of 1961);(b)"Court" means the High Court of Sikkim, and a Court of Civil or Criminal jurisdiction in Sikkim and includes any tribunal, authority or person in Sikkim legally authorised to take evidence;(c)"proceeding" includes suit, appeal, revision, review petition, application before any Court.

#### 3. Persons who may be allowed to act and plead in courts.

(1)Notwithstanding anything contained in any other law, but subject to the provisions of this Act. only the following classes of persons, shall be entitled to act and plead before any Court(a)parties to the proceeding; or(b)Advocates.(2)an advocate who is a full time employee of an Government or person or is actively associated with any trade or business shall not be entitled to act and plead before any Court unless he is a party to the proceedings.(3)Any Court may permit any person not enrolled as an Advocate under the provisions of the Advocates Act, 1961, to appear before it in any

particular case: Provided that no court shall permit any person to appear before it under this sub-section, if there are reasonable grounds to believe that he is practicing the profession of law. Explanation. - A person may be deemed to be practicing the profession of law even if he appears without remuneration. (4) Any person who acts and pleads before any Court in contravention of any provision of this Act shall be punishable with fine which may extend to one thousand rupees.

#### **4. Repeal and Saving.**

(1) The Sikkim Advocates Ordinance, 1980 (Ordinance No. 2 of 1980) is hereby repealed. (2) Notwithstanding such repeal, anything done or any action taken under the Ordinance so repealed, shall be deemed to have been done or taken under the corresponding provisions of this Act.