Rules for Admission and Enrolment of Advocates on the Roll of the Bar Council of Rajasthan (1965)

RAJASTHAN India

Rules for Admission and Enrolment of Advocates on the Roll of the Bar Council of Rajasthan (1965)

Rule

RULES-FOR-ADMISSION-AND-ENROLMENT-OF-ADVOCATES-ON-THI of 1963

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Rules for Admission and Enrolment of Advocates on the Roll of the Bar Council of Rajasthan (1965)Published vide Notification No. R.B.C./Ju/63/2796, dated 21-8-1963 - Rajasthan Gazette Extraordinary Part 4-C, dated 4.3.1965EnrolmentRules under section 28(2)(c) read with Sections 24(1)(e), 15(2)(i) and 26 of the Advocates Act, 1961

Part II – Form of Application for Enrolment as an Advocate

1.

An application for admission as an advocate on the roll of the Bar Council of Rajasthan shall be made in the form prescribed by the Council as amended from time to time.

1A.

The printed or cyclostyled copies of the application form shall be furnished to intending candidates by the Bar Council on payment of such charges as the Bar Council may, from time to time, fix in that behalf.

1B.

The application shall be accompanied by the following:-(a)A diploma or a certificate showing that

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the applicant has taken a degree in law from a University or College affiliated with said University in India, which has been recognised by the Bar Council of India.(b)Certificate in the form prescribed, as to his moral character and of his fitness to be an advocate on the roll of Advocate of the Bar Council of Rajasthan from at least two persons of respectability and position not being his relations, preferably Advocates on the Roll of the Bar Council of Rajasthan. Where the applicant is a person already enrolled as a Vakil, Pleader or an Attorney he shall not be required to produce, such Certificate, but, only a Certificate of practice or Sanad.(c)A declaration in writing by the applicant that he will faithfully observe and abide by all rules made by the Bar Council of India as amended from time to time for regulating the conduct of Advocates on the State Roll and the Common Roll of India.(d)A declaration as to whether the applicant has made any previous application for admission as an advocate to any High Court and the result thereof.(e)A declaration that he is a citizen of India or a national of Country where citizen of India, duly qualified, are permitted to practice in law.(f)A receipt from the Secretary of the Bar Council that the applicant has paid the prescribed fee for enrolment under section 24(1)(f) or a Bank Draft payable to the Bar Council of Rajasthan Jodhpur for the amount of fee.(g)A declaration that the applicant has completed 21 years of his age on or before the day of the application.(h)A declaration that the applicant is not in full or part-time employment or service, and is not engaged in any trade, business or profession except as provided in Rules 1 and 2 of Rules under section 28(2)(d) and the Rules of the Bar Council of India: Provided that if the applicant is covered by any of the exceptions contained in Rule 1 of the Enrolment Rules of this Bar Council under section 28(2)(d) read with section 24(1)(e) of the Advocates Act, 1961 he must furnish documentary proof, if any, with full details of his employment by an affidavit.(i)"Two undertakings to be given in the following terms:-(a)I do hereby undertake that, if after my admission as an Advocate, I accept full or part-time service or I am engaged in any trade, business or profession (other than such exempted by the State Bar Council from the operation of this undertaking), I shall forthwith inform the Council of such employment or engagement and shall cease to practice as an advocate."(b)"I do hereby undertake that I shall not accept any employment, which in the opinion of the Bar Council, is derogatory to the status of an advocate."

1C.

If any statement of fact stated in the application is found to be false at any time the name of the applicant shall be liable to be struck off from the Rolls under proviso to sub-section (1) of section 26 of the Advocates Act, 1961.

2.

The application shall be scrutinised by the Office and submitted to the Enrolment Committee of the Bar Council. The Enrolment Committee shall proceed to dispose of every application in accordance with the provisions of the Advocates Act, the rules made thereunder and the resolutions passed and/or directions given and/or the principles laid down from time to time by the Bar Council and then in office.

3.

In the event of the Enrolment Committee feeling any doubt, difficulty as to the eligibility of the persons seeking admission or as to the interpretations of any of the provisions of the Act, the rules, resolutions or directions or principles, it shall refer the application to the State Bar Council for clarifications or such doubt, difficulty or such question and shall dispose of the application in the light of the rules and/or directions given by the Bar Council in that behalf.

4.

If the Enrolment Committee should be of the opinion that any application for admission made to the Bar Council and referred to it for disposal ought to be rejected, it shall record its reasons in a statement and shall refer the application under section 26(3) of the Advocates Act, 1961 for the opinion to the Bar Council of India through the Bar Council and dispose it of in conformity with the opinion of the Bar Council of India.

5.

An Advocate who ceases to practice or when he resumes practice, shall inform the Bar Council in the prescribed form (as per Bar Council of India Rule 5 contained in Chapter III Part VI) which shall thereupon pass necessary order in that respect, in the form prescribed. The Bar Council of Rajasthan, JodhpurRules Enrolment Rules under section 28(2)(d) read with section 24(1)(e) of the Advocates Act, 1961

Part III - Conditions for Enrolment as an Advocate

1. A person who is otherwise qualified to be admitted as an advocate but is either in full or part-time service or employment or is engaged in any trade, business or profession shall not be admitted as an advocate:

Provided however that this rules shall not apply to:(i)Any person who is a Law Officer of the Central Government or the Government of a State or any Public Corporation or Body constituted by a statute. For the purpose of this clause a 'Law Officer' shall mean a person who is so designated by the terms of his appointment and who by the said terms is required to act and/or plead in courts on behalf of his employer. (ii) Any person who is an articled clerk of an Attorney. (iii) Any person who is in part-time service as a Professor, Lecturer or Teacher in law: 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 profession. This shall be subject to such directions, if any, as may be issued by the Bar Council of India from time to time. (iv) Any person who by virtue of being a member of a Hindu Joint Family has an interest in a Joint Hindu Family Business provided he does not take part in the management thereof. (v) Any person who is not personally engaged in any business; but is a sleeping partner in a firm doing business provided that, in the opinion of the Bar Council of Rajasthan, the nature of the business is not inconsistent with the dignity of the

profession.(vi)Any person who is a 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, and he is not a Managing Director or Secretary of the said company, or of any other company.(vii)Any person who has inherited or succeeded by survivorship to a family business but who is not personally participating in the management thereof.(viii)Any person who either prior to or after his application for enrolment under section 24 holds or continues to hold a share with others in any business which descended to him by survivorship or inheritance or by Will, provided he does not personally participate in the management thereof.(ix)Any person who reviews Parliamentary Bills for a remuneration, edits legal text-book at a salary, does 'Press-Vetting' for newspapers, sets and examines question papers, and subject to the rules against advertising and full-time employment to which an advocate after enrolment is subject to, is engaged in broadcasting, journalism, lecturing and teaching subjects, both legal and non-legal, and(x)Any class of persons as the Bar Council may from time to time exempt with the approval of the Bar Council of India.Note. - A person falling under any of the above exceptions shall be required to give the details of his employment by an affidavit supported by documentary proof.

- 2. Every person applying to be admitted as an advocate shall in his application make a declaration that he is not in full or part-time service or employment and is not engaged in any other profession, trade, business or calling contrary to the rules of the Bar Council of India. But in case he is in such full or part-time service or employment or is engaged in any trade, business or profession he shall in the declaration disclose full particulars of his service, employment or engagement. He shall also undertake that if, after his admission as an advocate, he accepts full or part time service or employment or is engaged in any trade, business or profession disqualifying him from admission, he shall forthwith return the certificate of enrolment and inform the Bar Council of such service or employment or engagement and shall cease to practise as an advocate.
- 3. Breach of the above-mentioned rules or any undertaking given in pursuance thereof shall amount to professional misconduct.

Part IV – Rule under Proviso to section 24(1)(f)

A person who applies for enrolment as an advocate is a member of Schedule Caste or the Scheduled Tribe and produces a certificate to that effect from the District Magistrate in whose jurisdiction the applicant permanently resides or is countersigned by such Magistrate, the enrolment fee payable by him to the State Bar Council shall be one hundred rupees and to the Bar Council of India Twenty Five rupees only. Secretary, Bar Council of Rajasthan Jodhpur The Bar Council of Rajasthan, Jodhpur Application for Admission and Enrolment as an Advocate on its Roll Under Rule 1 of the Rules of the Bar Council under section 28(2)(c) read with section 15(2)(1) and section 26 of the

Rules for Admission and Enrolment of Advocates on the Roll of the Bar Council of Rajasthan (1965)

Advocates Act, 1961Name of the Applicant: [Mr./Mrs./Miss] [Score out which is not applicable and sign the same.](Full name in Block Letters. Woman candidate must write
Miss or Mrs. before her name)Father's Name:
1. Address
(Permanent)Village
PostDisttPinTel No. (if any)
2. Address
(Temporary/Present)Village
PostTel No. (if any)
3. [Place of practice] [Please do not mention two places of practice as the
principal place can not be two. If the address, at the principal place of your
practice is not final, it can be sent a little later and further change, if any,
Must be Intimated. [section 21 (2) of Advocates Act].]
Actj.j
(Name of only principal place must be given) To, The Bar Council of Rajasthan, High Court Buildings
JodhpurI, [Mr./Miss./Mrs.] [Score out which is not applicable and sign the same.]
Shri
Advocate on the Roll of Advocates maintained by the Bar Council of Rajasthan and beg to apply for the same.
1 I haraby dealars that
1. I hereby declare that:
[I am a citizen of India] [Score out which is not applicable and sign the same i.e. Put your signature
below every scoring.].or[I am a National ofwhere citizens of India, duly qualified are permitted to practice law.] [Score out which is not applicable and sigh the same i.e. Pu
your signature below every scoring.]
2. I hereby declare that I have completed twenty-one years of age.
My date of birth is(As per High School, Secondary School or
Higher Secondary School Certificate enclosed alongwith a True Copy).

- 3. I declare that upon admission, I propose to practice within the State of Rajasthan.
- 4. I am qualified to be admitted as an Advocate on the State Roll under clause (c) of [sub-section (1) or sub-section (2) or sub-section (3) or sub-section (4) of section 24] [Score out which is not applicable and sigh the same i.e. Put your signature below every scoring.] of the Advocates Act, 1961 (No. 25 of 1961).
- 5. [I declare that I was enrolled as District Pleader/Vakil/ Mukhtiar/Advocate by High Court/Judicial Commissioner's Court as per sanad/certificate enclosed]. [If the applicant was enrolled by any High Court or any State Bar Council, he should enclose original certificate of enrolment or give proof with particulars thereof to the satisfaction of the Enrolment Committee.]
- 6. I was enrolled as an Attorney of the Court of......As per certificate enclosed.
- 7. I beg to furnish the details necessary under section 24(1)(c) of the Advocates Act, 1961, read with the relevant rules of the Bar Council of India and the Bar Council of Rajasthan.
- 7A. I hold Degree in Law of a University in India recognised by the Bar Council of India under section 24(1)(c) of the Advocates Act, 1961. The particulars thereof are given below:-
- 1. If A Graduate, please enclose Certificate and Mark-Sheets with true copies.

(i)The College wh	ere the Degree in Arts/Science or Commerce was o	btained
:	(ii)The year in which obtained :	(iii)The name of
the Degree:	(iv)The m	edium of instruction in said
course	(v)Whether English was one of the subjects? St	ate, if compulsory or optional
(with proof)	(vi)Other particulars, if any, regarding	the qualifications obtained
before joining the	course of instruction in law	

2. If Not A Graduate, enclose a certificate/mark-sheet with true copy

(i)The other academic qualification, if any, equivalent to a Degree as prescribed by the Bar Council of India under section 24(1)(c) (iii) or (iv) of the Advocates Act.(ii)The medium of instruction in the said course......(iii)Whether English was one of the subjects in which he/she

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passedB. Law Degree(i)Name of the University in which the Degree in Law was
taken(iA)Date of Commencement of Law Studies (Give the exact date with proof)
(ii)Name of the Degree in Law(iii)The academic year of
the course of instruction and the year when the Degree was taken(iv)Name of the
College where the course of instruction was taken and completed(v)Whether
the degree was taken by private study or actual attendance at classes and is recognised by Bar
Council of India (enclose certificate of University or College stating percentage (%) of attendance at
law classes and recognised with Bar Council of India).(vi)The duration of the course of instruction in
Law, whether two years or three years.(vii)The medium of instruction in Law, the language in the
course of instruction in Law(viii)Whether Proficiency
Test in English was passed in the course of instruction in Law :Yes or NoPlease send
proof(ix)Whether your perused any other course during your Law studies, if so give the date of
commencement of such other studies with documentary
proof(x)Other relevant particulars, if any, such
as:
which is recognised by the Bar Council of India, and the particulars are given below:(i)The name of
the a University:(ii)The name of the Degree
D. I am a Barrister at law called to the Bar in the
yearand qualified under section 24(1)(c) as per certificate with true copy enclosed.I
studied in the :
·
8. (Omitted)
8. (Omitted)9. (Omitted

12. I enclose (Original Certificates and Diplomas and furnish True Copies of the Originals Photostat copies also be attested). Particulars to be furnished					
1. 5.					
2. 6.					
3. 7.					
4. 8.					
12A. Details of examinations:-	percentage (%) o	of mark	ks obtained in	the following	
(Name of exam.)	(Marks obtained) ((out of)	(Percentage %)	(Name of University)	(Name of college)
(a) Graduation					
(b) LL.B. 1st year					
(c) LL.B. 2nd year					
(d) LL.B. 3rd year					
Advocate on the furnished i.e. n	ne Roll of the Bar	Counc	cil of Rajastha	d of fitness to be a an. (Particulars to ua0 328 in nks ,N	be
1					
2					
Declarations:					
•	elare that I am NotI a nployment or service	_	e out which is not	applicable and sign the	e same.] in
_	_			erk of an Attorney/Part	
			-	Rule Nou ncil of India or other, i	
				(Signatu	
			-	d sign the same.] enga	
	-		-	cept that I have interes	
•				n account of Joint Hind ership which is exempt	
				Council of Rajasthan/F	

of India and that I do not take part in the management thereof or other, if any. (Give particulars).]

[State particulars of any connection with a firm, Joint family firm or a company or corporation as well as details. Enclosed necessary proof n support.]_____(Signature)OR

16. [I give particulars of my previous employment or trade or business or profession as under] [Score out which is not applicable and sign the same.]

(Signature)17. I have left my previous employment or service in consequence of
termination of service, retirement/resignation/dismissal on under the following
circumstances, also state about punishments/adverse remarks imposed or communicated during
the employment. [State if you are seeking any remedy against the same] [Enclose necessary Proof in
Support.](Signature)18. I have left my previous trade, business or profession in the
Year by reason of [(Give details by an affidavit and documentary proof). The applicant is
expected to answer with utmost frankness and candour.] [Enclose necessary proof in
support.](Signature)19. [State any other circumstances or incident affecting your
character or fitness to be enrolled] [Score out which is not applicable and Sign the
same.](Signature)19A. If you have been a Judicial Officer, state the area in which you
exercised Judicial Powers along with the last date(Signature)20. I declare that I
made a previous application for enrolment as an Advocate/ Pleader/Mukhtiar/Revenue Agent to the
Bar Council ofon the Court ofon
for the reason ofThe application was withdrawn (Copy of the order of the Bar Council or
Court concerned to be filed). (If no such application was made it should be specifically
stated)(Signature)21. (a) [Have you been convicted previously by any Court in India
or outside India? Answer specifically 'Yes' or 'No'
any conviction or adjudication, particulars thereof should be
furnished.](Signature)[Give particulars as to the name of the Court, the number of
proceedings, the order of judgment whether any appeal or revision filed and the result of the same
giving the date of hearing, nature of the appeal under each head :] [Score out which is not applicable
and sign the same][If your any interest in agriculture, please state whether the land stands in your
name or not, giving location and area of the same. Also state whether you are managing the same or
not. If not, who is managing the same.] [Enclose necessary proof in support.](b)If there are any
pending Criminal Proceedings against you, give full particulars as to name of court, date, nature of
proceedings etc(Signature)(c)Have you been dismissed or suspended from service or
otherwise punished while in service? Give particulars with true copies of the
orders(Signature)22. [Have you been adjudged as an insolvent by any Court? (Give
particulars)] [Copy of FIR and last effective order of Court.](Signature)22A. Do you
or did you suffer from any contagious disease ?(Signature)23. I Herewith enclose the
MICR Demand Draft being the fee payable u/S . $24(1)(f)$ of the Advocates Act, 1961 as follows :-Fees
Payable : (Only Micr D.D. will be Accepted)For General & O.B.C. Candidates(lkekU; o vks-ch-lh- tkfr
ds fy,)(a)MICR D.D. No Date on the Bank offor Rs. 2170/- in
favour of "Secretary, Bar Council of Rajasthan" payable at Jodhpur.(Enrolment Fees Rs. 600/- +
Postage Charges of Rs. 50/- + Identity Card Charges Rs. 20/- + Process Fees Rs. 500/- + Training
Fees Rs. 1000/- Total Rupees 2170/-)(b)MICR D.D. No Date on the Bank
offor Rs. 150/- in favour of "Secretary, Bar Council of Rajasthan" payable at
Jodhpur.(c)A Form under Rule 40 Chapter II Part VI of BCI Rules is enclosed. Please Fill in &

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23A. In case of a member of the Scheduled Caste or the Scheduled Tribe along with a certificate from District Magistrate or such authority as may be described the amount of enrolment fee shall be Rs. 100/- payable under the Proviso to section 24(1)(f) of the Advocates Act, 1961 as follows:

For Scheduled Caste and Scheduled Tribe(vuqlwfpr tkfr ,oa vuqlwfpr tutkfr ds fy;s)(a)MICR D.D.
NoDateon the Bank offor Rs. 1670/- in favour of "Secretary, Bar Council of
Rajasthan" payable at Jodhpur.(Enrolment Fees Rs. 100/- + Postage Charges of Rs. 50/- + Identity
Card Charges Rs. 20/- + Process Fees Rs. 500/- + Training Fees Rs. 1000/- Total Rupees
1670/-)(b)MICR D.D. No Dateon the Bank of for Rs.
25/- in favour of "Secretary, Bar Council of Rajasthan" payable at Jodhpur.(c)A form under Rule 40
Chapter II Part VI of BCI Rules is enclosed. Please Fill in & return with a MICR D.D.
No Date on the Bank of for Rs. 1000/- being life time
subscription in favour of "Secretary, Bar Council of India Advocate Welfare Fund" payable at
Jodhpur.

- 24. I hereby declare that if I am admitted as an Advocate, I will faithfully observe and abide by all rules made by the Bar Council of Rajasthan and the Bar Council of India as amended from time to time for regulating the conduct of Advocates on the State Roll and the Common Roll of India. I have read the rules relating to Standards of Professional Conduct and Etiquette
- 25. I give below my undertaking as required
- 26. I declare that the statements made in this application are true to the best of my own knowledge, information and belief
- 27. I undertake to furnish such other particulars as may be required of me for the purpose of this application
- 28. I am herewith furnishing my latest photograph duly signed by me and attested by.....

Place:Date:Encls:Signature of the applicant.If any statement or fact stated in the application is found to be false at any time, the name of the applicant shall be liable to be struck off from the roll under Proviso to sub-section (1) of the section 26 of the Advocates Act, 1961.Certificate of Good Moral Character(Certificate to be obtained from advocate of atleast 5 years

standing)I,..... (Name of Advocate) of

(Address and pro	fession, occupation or position) certify
that(Name and description of the ap	plicant) has been known to me personally
for upwards of years last past. I have had the fo	ollowing opportunities of judging his/her
character (that is to say) I believe him/her to	be a person of respectability and a fit and
proper person to be admitted as an Advocate on the Roll of	of Advocates of the Bar Council of
Rajasthan.Date thisthe day	
of(Signature)R/	ate of EnrolmentCertificate
of Good Moral Character(Certificate to be obtained from a	dvocate of atleast 5 years
standing)I, (Name of Advocate) of	
(Address	
certify that(Name and de	
known to me personally for upwards ofyears last	-
opportunities of judging his/her character (that is to say)	·
a person of respectability and a fit and proper person to be	
Advocates of the Bar Council of Rajasthan. Date this	•
(Signature)R//Da	
EnrolmentUndertakings(a)I do hereby und	•
Advocate, I accept "full or part-time service" or I am engag	-
(unless exempted by the Bar Council under its rules), I sha	
such employment or engagement and shall cease to practi	•
undertake that, I shall not accept any employment, which	-
derogatory to the status of an Advocate.(c)I do hereby dec	
and the Laws.(ii)I shall conform to the standards of profes	•
the Bar Council of India which I have read.(iii)I shall faith	· · · · · · · · · · · · · · · · · · ·
on me by the Advocates Act, 1961, and the rules framed th	ereunder.(iv)I shall inform the Bar
Council, of any change of my residence or place of practice	e, for the proper maintenance of the Roll
and Voters List.I declare that the facts stated above in this	application are true and correct and that
the documents filed are genuine. Dated, thisday of	
-	Signature
C	of theapplicant
Latest	
Passport	
Size duly	
attested	Please give below your specimen signature, bothin
with seal	English and Hindi
byNotary	anguish and Timar
Public or	
Gazetted	
officer	
(In	
English)	

(Please		
affix your		
recent		
passport		
size		
photowith		(In
your	Hindi)	
signature		
on it and		
get it duly		
attested		
with seal)		

Note. - Please put signature at all places wherever word "signature" is printed. If the matter under any column is not applicable, please delete the same or fill the required information). Form The Bar Council of Rajasthan, Jodhpur Application for Voluntary Suspension of Practice as an Advocate under Rule 3 of the Rules under section 28(2) read with Sections 24(1)(e), 15(2)(i) and 26 To, The Secretary, Bar Council of Rajasthan, Jodhpur. Dear Sir, I have ceased to practice with effect from from......... Kindly suspend me practice on the Rolls.My Particulars are given as below:-(1)Name:(2)Address:(a)At the time of suspension:(b)After suspension:(3)Enrolment No.:(4)Date of Enrolment:(5)Reason for suspension:Place:Date:Signature of AdvocateN.B. - Please return this form duly filled along with a postal order of Rs. 25 payable to "The Bar Council of Rajasthan Jodhpur". Form The Bar Council of Rajasthan, Jodhpur Application for Resumption of Practice as an Advocate under Rule 5 of the Rules under section 28(2)(c) read with Sections 24(1)(e), 15(2)(i) and 26]To, The Secretary, Bar Council of Rajasthan, Jodhpur. Dear sir, This is lo inform you that I am resuming practice as an advocate from........ (date to be specified). My particulars are given below:-(1)Name:(2)Address:(3)Enrolment No. & date:(4)Place of practice:(5)Date from which practice suspended:(6)No. & date of order reg. above:(7)State how the disability has ceased to exist (i.e. whether resigned, retired etc. by an affidavit or proof): Certificate of Good Character (enclosed):Place:Date:Signature of AdvocateN.B.:-Please return this form duly filled along with a DD of Rs. 1000/- in favour of the Secretary, Bar Council of Rajasthan, Jodhpur and Rs. 200/- in favour of the Secretary, Bar Council of India, Jodhpur.