

# **BAR COUNCIL OF INDIA RULES**

(Under the Advocates Act, 1961)

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## **Part V-A**

**Bar Council of India Certificate and Place of  
Practice (Verification) Rules, 2015**

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**Rules under Section 49(1)(ag), 49(ah) and 49(i) of  
the Advocates Act, 1961**

# **BAR COUNCIL OF INDIA**

# **RULES**

(Under the Advocates Act, 1961)

## **Part V-A**

Notified in the Gazette of India  
vide Part - III, Section - 4, New Delhi.  
13th January, 2015



Approved and adopted by the Bar Council of India at  
its meeting held on 29th & 30th November, 2014, vide  
resolution No. 216/2014

(Rules under Section 49(1)(ag), 49(ah) and 49(i)  
of the Advocates Act, 1961)

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## **BAR COUNCIL OF INDIA**

### **NOTIFICATION**

New Delhi, the 12th January, 2015

### **EXTRACTS OF THE MINUTES OF THE MEETING OF GENERAL COUNCIL OF BAR COUNCIL OF INDIA HELD ON 29th/30th NOVEMBER, 2014**

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#### **ITEM NO. 330/2014**

The Council considered the Draft Rules with regard to verification of Certificate and Place of Practice of Advocates and to repeal the Bar Council of India Certificate of Practice and Renewal Rules, 2014 and passed the following resolution :-

#### **Resolution No. 216/2014**

(e) The Council resolves to modify the Resolution No. 169 of 2014 (Item No. 276/2014) dated 17<sup>th</sup> October, 2014. The Council further resolves that Draft Rules with regard to Verification of Certificate and Place of Practice submitted by the sub-Committee be and is hereby approved. These new Rules shall be named as Bar Council of India Certificate and place of Practice (Verification) Rules 2015 depending on the year of its publication in the Gazette of India) and it shall come into force from the date of its publication in the Gazette of India. The Council further resolves to repeal Bar Council of India Certificate of Practice and Renewal Rules, 2014, accordingly the Bar Council of India Certificate of Practice Renewal Rules, 2014 stand repealed.

(f) Bar Council of India Certificate and Place of Practice



(Verification) Rules have been framed in exercise of powers conferred on Bar Council of India by section 49(1)(ag), 49(ah) and 49(i) of the Advocates Act, 1961 and in exercise of powers under Part-V Chapter I, Rule 1(1) & 2 and Rule 2 of Bar Council of India Rules, Chapter III sub Rule 3, 4 and Part-IX Rule 17,18(h), 20,22,24 of Bar Council of India Rules.

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**BAR COUNCIL OF INDIA CERTIFICATE AND  
PLACE OF PRACTICE (VERIFICATION)  
RULES, 2015**

**Statement of objects and reasons**

The legal profession is an Honorable one and it has critical role to play in protecting and promoting the Civil and Constitutional rights of the people. An independent and fearless Bar is vital and crucial for sustaining and promoting a true and healthy democracy. The Bar which is subject to manipulation and influence from extraneous powers, howsoever mighty and esteemed they may be, cannot do justice either to the Legal Profession or to the Rule of Law. Bench and Bar are the two wheels of a chariot and one cannot function without the other. Sadly, this profession has fallen under a cloud.

In the Joint Meeting of the representatives of all State Bar Councils and Bar Council of India, concerns were raised by all that trend of Advocates switching over to other professions/services/business without any information to the State Bar Council has reached alarming proportions. This trend is endangering the legal profession as a whole. It has also made a dent in its sanctity and standards. Names of such advocates continue to be included in the "Roll of advocates" being maintained by the State Bar Councils, notwithstanding the fact that they have left the legal profession or have since died. Though under section 19 of the Advocates Act, the State bar Councils are under legal obligation to send a copy of the Roll of advocates prepared by it under section 17 of the Act and subsequent alterations/additions thereto

but practically no state bar Council has observed this mandatory provision of the Act up till now.

Under these circumstances it appears that a definite trend is visible that the control of Bar Associations and of other elected bodies under the Advocates Act is slipping out of the hands of the advocates who practice law. It is also being experienced that after certificate of enrolment is issued to an advocate, practically no communicative and continuing contact survives between him and the Council.

Under the existing state of affairs, All India Bar Examination introduced on the directions/observations of the Supreme Court of India to improve the standard of legal profession has also failed to fully achieve its objective. Advocates enrolled with the State Bar Councils obtain "Provisional Certificate of Practice" (valid for 2 years) and thereafter most of them are practicing Law without caring to appear for All India Bar Examination and to pass it.

Various welfare schemes for advocates have been floated in India both under State Legislations as well as under various welfare schemes framed by different State Bar Councils and by Bar Council of India but benefits there-under are being enjoyed by those also who have left the profession.

There is also an urgent need for laying down some conditions for practicing law in different Courts so as to give due weightage and credence to experience. Before an advocate could practice law in higher Courts, there is need that he is exposed to real court experience in lower Courts/trial Courts. This will help in integrating the whole judicial system from the perspective of the Bar.

Therefore, in order to achieve better and effective administrative and disciplinary control of the local Bar Associations, State Bar Councils and the Bar Council of India over the advocates entered on the Rolls of advocates being maintained by different State Bar Councils under section 22 of the Advocates Act and further in order to weed out advocates who have left practice, the Bar Council of India, in the exercise of powers conferred on it by section 49(1) (ag), 49 (ah) 49(i) of the Advocates Act, 1961 and by all other enabling and residuary powers vested in it, had brought the rules titled "Bar Council of India

Certificate of Practice and Renewal Rules, 2014" for the purposes of carrying into effect the provisions and objectives of the Act-

But in some of the places, the Advocates raised objection with regard to the word Renewal, though in fact it is not the renewal of enrolment, rather it aimed at periodical verification of the details of an Advocate already enrolled with some State Bar Council. The aim was/is only to verify the place where the Advocate normally practices, the Bar Association of which he is a member (if any), the address/email id, enrolment number/year, the Institutions from which the Advocate has passed his Graduation and LL.B. The purpose is the maintenance of record of all the Advocates of the country; two passport size photographs of Advocate was/is also required to be furnished to the State Bar Council. The other object was/is also to introduce certain electoral reforms in the Bar Council/Bar Association elections, because in recent past, the Bar Council of India and the State Bar Councils have come across the cases of rigging in the polls and the allegations of bogus voting has now become frequent, since the State Bar Councils and/or majority of Bar Associations of the country have no record of the Advocates who died after enrolment or who joined other jobs, business or professions; the Bar Council of India being the regular of Legal profession and Legal education of the country has, therefore, decided to undertake the detailed verification and then to prepare a Voters' List alongwith recent photographs of the Advocate (Voter). The Council has framed these Rules in the light of the verdict of Hon'ble apex Court in the case of Supreme Court Bar Association. The Bar Council of India has already decided to develop the web-portal for this purpose to have full details of all the Advocates of the country, all the Institutions imparting Legal Education, details of Law students, the Law Teachers and details of all the Bar Associations. The detailed information and photograph is necessary for that purpose also. Furthermore, since some of the Bar Associations have raised baseless objection with regard to the sum of Rs. 500/- as Practice Fee (as per them it is a heavy amount); the major portion (about Rs.400/-) of this Rs. 400/- was aimed (in 2014 Rules) for providing welfare schemes (like Insurance for Advocates and their family members and improvement of infrastructure and Library of

Bar Associations, Pensions etc.) But due to objection, now the Council has resolved to segregate this amount of Rs. 400/- for welfare-schemes from the process fee of verification. Now only Rs.100/- is to be charged from the Advocates as Process fee and rest of Rs. 400/- would be optional not mandatory, depending upon the decision of concerned State Bar Council and the concerned Advocate. Even from this process fee of Rs. 100/-, besides the expenditure incurred for undertaking the work of verification, the State Bar Council, Bar Associations and Bar Council of India are required to spend the rest of the amount for the improvement of infrastructures of Associations only. State Bar Councils shall be required to open and maintain a separate Bank Account for this purpose which would be audited every year. The report of Audit shall be sent to Bar Council of India and the Bar Association soon after the submission of report.

The Bar Council of India has also come to know that a number of fake (farzi) persons (without any Law Degree or enrolment certificate) are indulged in Legal practice and are cheating the Litigants, courts and other stake-holders; and neither the Bar Associations nor the concerned State Bar Councils have any control over such fake persons. Shockingly, it has come to the notice of the Council that at some places, the office-bearers of Bar Associations or some vote-seekers knowingly make such people members and voters of their Associations with a motive to get their votes in the elections of Bar Associations or Bar Councils. Similarly, many persons, after getting enrolled as Advocates in any State Bar Council, get involve in Property-Dealings, contract or switch over to some other business, profession or job and have no more concern with the Legal profession. Such "non-practicing Advocates" are sometimes being used by some of the office-bearers/candidates for elections of Bar Associations or Bar Councils (only for their votes). But in fact, the Council has realized that such practice is degrading the standard of Legal profession, and this mal-practice has to be stopped.

Few of the office-bearers/representatives of some of the Bar Associations had raised unnecessary objections and protests to these reformative steps. Such protests were/are only to serve their vested interests. Bar Council of India has to maintain the dignity and

standard of Legal profession, we shall have to oust fake people from the court-campus and we shall have to identify the "non-practicing Advocates", (who are involved in other job, business or profession). We are to ensure that such Advocates do not involve in deciding the fate of our Associations and the Bar Councils; And such Advocates are not allowed to get any benefit of welfare schemes or to practice Legal profession so long they are in any other business, job or profession.

It is due to these reasons, the Council has decided to make provisions for identification of such fake persons and non-practicing Advocates. And the Council has also felt it necessary to discourage those Advocates who raise unnecessary protests with an intent to keep and protect the fake and/or non-Practicing Advocates with an object to get their votes. Therefore, the Council has resolved to make suitable provisions in these Rules so that if any Advocate is found to be indulged in making deliberate effort to -

- (i) Protect fake people practicing legal profession illegally
- (ii) to create any hurdle in identification of "non-Practicing Advocates" and
- (iii) create any objection in verification of the certificate of practice, credentials, place of Practice and details of Advocates, such Advocates would be debarred from contesting any election of Bar Association or Bar Council for a period of three years from the date of order to this effect.

Under the circumstances and for the abovementioned reasons, the Council has resolved to repeal the "Bar Council of India Certificate of Practice and Renewal Rules 2014" and has made and passed the new "Bar Council of India Certificate and place of Practice (Verification) Rules 2015", and has decided to implement it.

## CHAPTER I

### PRELIMINARY

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#### 1. Short Title

These Rules shall be called as the "Certificate and place of Practice (Verification) Rules, 2015".

#### 2. Extent

These rules will be applicable to all the advocates whose names appear on the State Rolls being maintained by the State Bar Councils under section 17 of the Advocates Act, 1961.

#### 3. Date of commencement

These rules, except Rule 7 of Chapter III, shall come into force at once from the date of publication of these Rules in the Gazette of India. Rule 7 of Chapter III shall come into force on such date as the Bar Council of India may, by notification in the Gazette of India, appoint in this behalf.

#### 4. Definitions

- (a) **Act** means the Advocates Act, 1961.
- (b) **Advocate** means an advocate whose name is entered in the Roll of advocates being maintained by the State Bar Councils under section 17 of the Advocates Act, 1961.
- (c) **Certificate of Enrolment** means the certificate of enrollment held by an advocate issued under section 22 of the Advocates Act, 1961.
- (d) **Certificate of Practice** in relation to an advocate having obtained graduate degree in law before the academic year 2010 enrolled on the roll of Advocates shall mean Certificate of Practice issued under Rule 13 and in relation to an advocate graduating in law in academic year 2009-2010 (1<sup>st</sup> July, 2009 to

30<sup>th</sup> June, 2010) and thereafter, enrolled on or after 12<sup>th</sup> Day of June, 2010, Certificate of Practice means the "Certificate of Practice" issued under All India Bar Examination Rules or under Rule 13 of these Rules or the enrolment certificate issued by the State Bar Council.

- (e) **State Bar Council** means the State Bar Councils as defined under section 3 (1) (a) of the Advocates Act, 1961.
- (f) **Verification/process fee** means the amount/s payable under these rules as fee and amount for processing of Application and its verification. This amount may be varied by the Bar Council of India from time to time and on such variation, the varied amount shall mean the fee.
- (g) **Bar Association of a given area/town/city** means an area/territory and court work based association of advocates, whether registered under the Societies Registration Act (Act No. XXI of 1860) or not having its area/territory defined in terms of the whole or part of the territorial jurisdiction of Courts/Tribunals/Persons or any other Authorities legally competent to take evidence before which its members ordinarily practice law and it includes Bar Association exclusively dealing in specific fields of law viz. Income Tax, Corporate Law, Central/State Excise Law etc. in relation to the authorities/tribunals/boards etc. there-under.
- (h) **"Roll of advocates"** means "roll" as defined in the Advocates Act.
- (i) **"Administrative Committee"** shall mean a committee comprising of three members of the State Council, constituted by the State Bar Council by way of election, for discharging such functions and duties as are entrusted to it under these Rules. There may be more than one such Committee depending upon the work load of a particular State Bar Council.
- (j) **An non-practicing advocate** means an Advocate enrolled with any State Bar Council, but is not in actual practice of Law and is engaged in some other public or private job, business, contract etc. not related to Legal profession: and who has been so declared under Rule 13 and Rule 20.2 of these Rules and whose name stands published under Rule 20.4.

- (k) **Fake Person** is a person who is involved in practicing in Courts of Law/Tribunals or other Legal forums without having a valid Degree in Law (without any enrolment in any State Bar Council) and use to appear in such Courts, Tribunals or Forums illegally posing him as an Advocate.
- (l) **All terms and phrases** used in these rules shall have the same meaning as they have under the Advocates Act, 1961, unless the context in which such words and phrases are used, expressly suggest to the contrary.

#### 5. Necessity of "Certificate of Practice"

An advocate shall not be entitled to practice law unless he holds a valid and verified certificate of practice issued either under All India Bar Examination Rules or under these Rules.

This disability to practice law would come into force only when the name/names of such advocate/s is/are published under Rule 20.4.

#### <sup>1</sup>5(a) Exemption of certain categories of Advocates

However, the senior Advocates designated under Section 16 of the Advocates Act and Advocates on Record of Supreme Court of India are requested to fill Form E for Senior Advocates and Form F(new) for Advocates on Records. They shall also be required to send two passport size photographs alongwith duly filled up forms of their respective Bar Associations or the concerned State Bar Council, so that their names could be included in electoral roll of State Bar Council. The senior Advocates shall be required to deposit a sum of Rs. 500/- and the AORs shall deposit the fee to be decided by their respective State Bar Councils. All the State Bar Councils shall be required to inform the Supreme Court Bar Association and the AOR Association of Supreme Court about the fee for verification of Certificate of Practice fixed by them forthwith.

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1. Substituted vide Resolution No. 119/2015 dated 6/6/2015.



## CHAPTER II

### LOCAL BAR ASSOCIATIONS

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6. Advocate to be a member of the Bar Association where he/she normally practices law

6.1 An advocate, after having obtained a Certificate of Enrollment under section 22 of the Advocates Act, 1961, is required to get himself registered as a member of the Bar Association where he ordinarily practices law or intends to practice law. And if any Advocate does not intend to be a member of any Bar Association duly recognized by concerned State Bar Council, then he shall be required to intimate the same to the State Bar Council and he shall have to explain as to how shall he be getting the benefits of any welfare scheme floated by the State Bar Council or the Local Bar Association. The decision of State Bar Council shall be final in this regard.

6.2 In case an advocate leaves one Bar Association and joins another by reason of change of place of practice or by reason of change of field of law, he/she shall intimate such change with all the relevant particulars to the State Bar Council, of which he is a member.

Such fact of leaving as well as of joining shall be independently intimated to the aforesaid said Bar Council within a period of one month.

6.3 Bar Associations to apply to the respective Bar Council within whose jurisdiction they are located, for being recognized under these rules. Recognition shall be accorded to such a Bar Association only which falls within the definition of Bar Association as defined in these rules.

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### CHAPTER III

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7.1 If it comes to the notice of the Council through any source that any office-bearer of any Bar Association or any Advocate is involved in making unnecessary, baseless and deliberate protests/objections in the process of identification of fake persons (involved in Legal profession) or in the identification of non-practicing Advocates (who are doing some other job, business etc.) and/or making any attempt to mislead the Advocates of his Association or State by making irresponsible statements with ill motive to create hurdle in implementation of these reformatory Rules, a Tribunal constituted by the Bar Council of India and the State Bar Council may pass an order debarring such Advocate or office-bearer from contesting the elections of Bar Association/State Bar Council for a period of three years from the date of passing of such order.

7.2 Any such order be passed only by a Tribunal consisting of one former Judge of any High Court (nominated by Bar Council of India) one senior Advocate and one Senior Member of State Bar Council (nominated by the Chairman and the Vice-Chairman of that Bar Council.) Hon'ble Former Judge of High Court shall be the Presiding Officer of the Tribunal and no adverse order can be passed by such Tribunal unless the concerned office-bearer/Advocate is given an opportunity of hearing. The decision of majority will prevail in such decision. The Tribunal shall have power to pass interim orders also.

The State Bar Council or Bar Council of India may refer the matters to such Tribunals and the Tribunal shall dispose of the matters expeditiously. There shall be a separate Tribunal for each State Bar Council.

**7.3 An Appeal/Revision shall lie before the Bar Council of India against any order passed by the said Tribunal, if preferred within a period of 60 days from the date of order. However, the Council shall have the power to condone the delay in filing such Appeal/Revision beyond 60 days, if sufficient cause is shown by the appellant/petitioner.**

## CHAPTER IV

### APPLICATIONS/ORDERS/OBJECTION PETITION WITH RESPECT TO GRANT/VEFIFICATION OF CERTIFICATE AND PLACE OF PRACTICE

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**8. Application for verification of "Certificate to practice and place of Practice" by advocates enrolled on or before June 12, 2010:**

8.1 An advocate graduating in law in academic year 2009-2010(1<sup>st</sup> July, 2009 to 30<sup>th</sup> June, 2010) and thereafter, enrolled on the "Roll of Advocates" on or after June 12, 2010, is required to apply for issuance of "Certificate of Practice" under All India Bar Examination Rules, 2010 and for verification of such "Certificate of Practice" from the State Bar Council in which he/she is enrolled as an advocate under Rule 9.

8.2 An advocate having obtained graduate degree in law before the academic year 2010 enrolled on the "Roll of Advocates", is required to apply for verification of "Certificate of Practice and place of practice" from the State Bar Council in which he/she is enrolled as an advocate under this rule within a period of 6 months of the enforcement of these Rules/ date of enrolment.

8.3 Every application for issuance of verified Certificate of Practice shall be submitted in the prescribed format as given in Form A Column I and Column II annexed with these Rules disclosing all the necessary informations as required there under to the State Bar Council, with which he/she is enrolled.

8.4 Every such application shall be accompanied by the following documents, certificates, declaration, fee etc: -

- i. Verification fee/process fee in the sum of Rs.100/- (rupees one hundred only) by way of Bank Drafts/Account payee bank cheque or cash in the name of :-
  - a. Secretary State Bar Council, with which the applicant is

Out of this Rs. 100/-, the Secretary, State Bar Council shall send a sum of Rs. 20/- to the concerned Bar Association and Rs. 30/- to Bar Council of India, rest Rs. 50/- is to be kept in the Account of State Bar Council.

- ii. A declaration in the prescribed format as given in Column II of Form 'A' annexed with these Rules;
- iii. Two passport size photographs duly attested by the President/Secretary of the Bar Association or by any other office bearer of the Association who is duly authorized for this purpose by the Bar Association, of which the applicant is a member, or by a member of the State Bar Council duly authorized by the State Bar Council or Bar Council of India ;

- iv. Certificate in Form A Column III issued by the President/Secretary or by any other office bearer of the Association, who is duly authorized for this purpose by the Bar Association/ to the effect that the applicant advocate is a bona fide member of the concerned Bar Association and that he has not left law practice OR By any member of State Bar Council duly authorized by State Bar Council or by the Bar Council of India.

In case, the applicant has been a member of different Bar Associations at different times since the issuance of certificate of enrolment under section 22 of the Advocates Act, 1961, such certificates may be obtained from the Presidents/Secretaries of the different Bar Associations, of which the applicant remained a member, at different times.

In case, the certificate of enrolment under section 22 of the Advocates Act, 1961 was granted more than five (5) years prior to the date of application, such certificate/certificates needs to be confined only to a period of five (5) years.

Provided that in case it is established at any stage that any such Authority has deliberately issued a certificate in Column III of FORM 'A' even after knowing that the Advocate is not in practice, the State Bar Council will be at Liberty to take appropriate action against such Authority issuing such certificate.

- v. However, the State Bar Councils would be at liberty to make any change in the Verification/process fee as per their own requirements and necessities. But any such change shall be required to be approved by the Bar Council of India.

8.5 That the aforesaid application may be filed by the applicant along with all the aforesaid documents either by hand in the Office of the State Bar Council against proper receipt or send to the Secretary under registered post or through the Bar Association, of which he/she is a member.

#### **9. Application for Verification of Certificate of Practice issued by State Bar Council**

9.1 The Certificate of Practice issued to an advocate under Rule 13 of these Rules or under All India Bar Examination Rules and Verification thereof, shall be valid for a period of five years (5) years only and is liable to be verified every five (5) years by filing an application for verification in advance within a period of six (6) months, before the validity period of "Certificate of Practice" or of its verification, expires.

9.2. All such applications for verification shall be filed in the format as given in Form A annexed with these Rules and it shall be accompanied by such documents, certificates, declaration, fee etc as are mentioned in clauses (i), (ii) and (iv) of Rule 8.4 and the same may be submitted as per Rule 8.5.

#### **10. Delayed application with late fee**

That all the applications for verification of "Certificate of Practice" filed after the time fixed by rule 8/rule 9.1 of these Rules shall not be received by the Office/Secretary unless it is accompanied by late fee in the sum of Rs.100/- (one hundred only) and such late applications would be entertained only for a period of six (6) months.

#### **11. Delayed application for verification with penalty clause**

That all applications for verification of certificate of practice filed after the period fixed under rule 10 shall not be received and processed by the Office/Secretary unless it is accompanied by a penalty fee of Rs. 50/- (rupees fifty only) per month reckoned from the last date on which such an application ought to have been made under Rule 10 of these Rules but such late application with penalty clause attached thereto would be entertained only for a period of six (6) months.

#### **12. Incomplete and faulty applications**

That in case, the applications so received, are found to be incomplete/faulty, the Office of State Bar Council shall intimate the

concerned advocate of such shortcomings/defects by issuing letter under registered Post and such applications shall be processed further by the Office on removal of such shortcomings/defects.

The time taken to remove such shortcomings/defects by the concerned applicant may be counted towards late fee payable by the concerned advocate at the rate of Rs.1, 00/- per month unless it is waived by the Chairman/Vice-Chairman of the State Bar Council in case sufficient cause is shown for such delay.

### **13. Order on the application for verification of Certificate of Practice**

That every application for verification of certificate of practice and place of practice received shall be scrutinized by the Office within a period of one month from the date of its receipt and if found in order, it shall be placed along with the personal file of the applicant before the Administrative Committee, for passing the requisite order allowing or dismissing the application.

Such application is liable to be dismissed only in case it is found that the advocate has left law practice and that he/she has no bona fide intent and interest in continuing it in future also and such an advocate shall be treated as a non-practicing advocate under these Rules.

No adverse order can be passed under this rule unless a reasonable opportunity of being heard is afforded to the applicant.

### **14. Objection Petition**

14.1 An advocate or any person may file an objection petition before the State Bar Council seeking to add the name/names of an advocate/advocates in the List of Non-Practicing Advocates on the ground that such an advocate has left law practice and that he/she has no bona fide intent and interest in continuing it in future also.

14.2 Rule A. I (1) and rule A. I (2) of Chapter I of Part VII of the Bar Council of India Rules relating to complaints under section 35 of the Advocates Act shall, *mutatis mutandis*, apply to these objection petitions except that such objection petition shall be accompanied by a security amount of Rs.1, 000/- and not such fee as is prescribed in the aforesaid Rules relating to complaints under section 35 of the Advocate Act.

14.3 That in case the State Bar Council finds that there is a *prima*

facie case in favor of the applicant; it shall refer it for decision to its Administrative Committee.

14.4 That the "Administrative Committee" of the State Bar Council shall decide and dispose of such an objection petition along with application for issuance/verification of Certificate of Practice of the concerned advocate, if any. But if no such proceedings are pending, such objection petition shall be decided independently.

Such procedure as is applicable to complaints under section 35 of the Advocates Act shall apply, mutatis mutandis, to proceedings under this rule.

14.5 That in case the complaint is found to be vexatious, frivolous and mala fide, the security amount deposited with the objection petition shall be forfeited to the State Bar Council.

14.6 The "Administrative Committee" shall be required to decide the objection petitions within a period of 15 days from the date of objection.

**Explanation:** An Advocate shall be deemed to be in practice, if he is able to establish that he has appeared in any Court of law or has filed Vakalatnama even in one case before any Court of Law/other forum in a year before these Rules came into force.

<sup>3</sup>**Explanation:** However, the Advocates doing chamber practices, or engaged with some Law Firms who are unable to file Vakalatnamas in any court or forum shall also be entitled to apply for verification of their certificates and place of practice. They shall be required to file an affidavit stating that they are doing Legal practice and shall have to furnish at least proof of this effect. Those who are engaged in any registered law firm shall be required to obtain a certificate from the Law Firm and submit it alongwith their application form.



## CHAPTER V

### FOLLOW UP ACTION

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#### 15. Follow up action of order passed under rule 13

15.1 That immediately after the application for verification of Certificate of Practice is allowed under Rule 13 of these Rules; the Office of the State Bar Council shall prepare the verified Certificate in FORM 'B' in duplicate duly signed by the Chairman of the State Bar Council and in his absence by the Vice chairman of the State Bar Council or by such other member of the State Bar Council who is specifically authorized for the said purpose by the State Bar Council.

15.2 That one copy of such verified Certificate of Practice shall be dispatched to the advocate concerned under registered Post AD without any delay and the other copy shall be kept in the personal file of the advocate. The State Bar Council shall also make rules and issue an Identity card of such Advocates containing their photographs, which I-card shall be valid for a period of 5 years from the date of issuance and it shall be required to be produced at the time of voting election of State Bar Council or Bar Association.

15.3 That the State Bar Council shall maintain a separate Dispatch Register containing all the details as to the particulars of issuance/ verification of the certificate of practice, original certificate of enrolment and full particulars of the advocate as to age, date of birth, address, email id etc..

This Register shall be maintained year wise in such manner as may be prescribed by the State Council.

15.4 Every State Bar Council shall send to the Bar Council of India an authenticated soft copy of the record maintained by it under Rule 15.3 every year.

**CHAPTER VI**  
**CONSEQUENCES OF ORDER U/R 13 AND OF**  
**FAILURE TO MAKE APPLICATIONS**

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**16. Consequence of dismissal of application under Rule 13**

In the event of dismissal of application under Rule 13, such consequences as are laid down by Rule 20.4 would follow.

**17. Consequences of failure to make application as stipulated by Rule 7 to 11**

That in case an advocate fails to make an application for verification of Certificate of Practice within such period/extended periods as provided for under Rules 8 to 11 and in case he fails to remove the shortcomings/defects in his application despite intimation under Rule 12 for a period of 6 months, it shall, prima facie, be presumed that the such an advocate has left law practice and that he/she has no bona fide intent and interest in continuing it in future also.

**18. Follow up action against advocates who fail to respond and fall within the ambit of Rule 17 and publication of "list of defaulting advocates")**

18.1 That the Office of the State Bar Council shall prepare a list of such defaulting advocate/advocates who has/have failed to apply for issuance/verification of Certificate of Practice within such period/extended period as provided for by these Rules or have failed to remove shortcomings/defects in their applications despite intimation within the stipulated period of 6 months.

This list may be titled as the "List of the Defaulting Advocates".

18.2 All such advocates whose name/names have been included in the list of "defaulting advocates" shall be given due notice of the fact that their name/names stood included in the above list and further notice of this list shall also be given in the following manner:

- i. One copy of such List shall be displayed outside the Office of the Bar Council;
- ii. Copies of such list shall also be sent to such District/Tauka Bar Association/s to which such advocate/advocates belong as per the address last disclosed by him/her and also to the concerned High Court/Supreme Court Bar Association;
- iii. A letter of intimation that his/her name stands included in such list shall also be sent to the defaulting advocate at the address last disclosed by him/her under registered Post.
- iv. This List shall also be published by the State Bar Council as per law.

#### **19. Late Applications after publication under Rule 18**

If an application for issuance/verification of Certificate of Practice is received by the State Bar Council within a period of 6 months of the publication of the aforesaid list of defaulting advocates under Clause (iv) of Rule 18, it shall be accompanied by such late fee and penalties as are specified by rules 10 to 12 of these Rules.

All such applications shall be processed by the Office as per the procedure laid down by rule 10 to 12 and thereafter order on such applications shall be obtained under rule 13 and such order shall be given effect to as per these rules.

#### **20. Consequences of failure to respond and publication of "list of non-practicing advocates"**

20.1 That if no application for issuance/verification of Certificate of Practice is made under these rules or if an application is filed but defects are not removed as per Rule 17, it shall be presumed for the purposes of these rules that such an advocate has left law practice and that he/she has no bona fide intent and interest in continuing it in future also.

20.2 That on the expiry of a period of 6 months of the publication of such "List of Defaulting Advocates", the State Bar Council shall pass an order directing that the name/names of such advocate/advocates appearing "List of the Defaulting Advocates" be put in the list of "Non-Practicing Advocates".

20.3 That due notice of the list of "Non-Practicing Advocates" shall

be given to the followings:-

- i. One copy of such List shall be sent to the Bar Council of India and to all other State Bar Councils.
- ii. One copy of this list shall be sent to all the Courts situated within the territorial limits of the State Bar Council and also to the concerned High Court. Once copy shall be sent to Supreme Court of India also.
- iii. Copies of such list shall also be sent to such District Bar Association/s to which such advocate/advocates belong as per the address lat disclosed by him/her and also to the concerned High Court/Supreme Court Bar Association;

20.4 The List of Non-Practicing advocates and name/names of advocates whose application for issuance/verification of certificate of practice stands dismissed under Rule 13 shall also be published by the State Bar Council as per law after such list/name/names is/are approved by the Bar Council of India.

List of such non-practicing Advocates is to be furnished by the concerned State Bar Council to Registrar of Supreme Court of India, Registrar of all the High Courts, Subordinate courts of the States, Bar Association of Supreme Court of India and Bar Associations of all the High Courts and Subordinate Courts.

## **21. Non-practicing advocates as included in the list of "non-practicing advocates" not entitled to practice law and to other privileges and rights**

21.1 From the date of publication of the aforesaid list of non-practicing advocates, all such advocate/s whose name/names has/have been included in the aforesaid list, shall not be entitled to appear in any Court of Law, before any Tribunal or person legally authorized to take evidence and before any other authority or person before whom such advocate is by or under any law for the time being in force entitled to practice, notwithstanding the fact that name/names of such advocates is/are entered in the State Roll and that he is holding certificate of enrolment under section 22 of the Advocates Act.

Further, name/s of such advocate/s shall not be included in the electoral roll for the purposes of elections to the State Bar Councils. Such an advocate/s shall cease to be a member of any Bar Association

and further he/she shall not be entitled to cast vote/s in any elections of the Bar Associations.

The status and rights of such advocate/s "as advocate/s entitled to participate and receive benefits" under Welfare Schemes of Bar Council of India created under Rules 40 to 44 B of Section IV-A of Chapter II contained in Part VI of the Bar Council of India Rules and other schemes floated by the State Bar Council shall come to an end w. e. f. the date of publication of the List/name/names of Non-Practising Advocates under Rule 20.4 with the exception that such an advocate would be entitled to receive such benefits under the relevant scheme/s, if any, which have already accrued in his/her favor.

CHAPTER VII

**UPDATING OF THE RECORD OF PRACTISING  
AND NON-PRACTISING ADVOCATES**

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**22. Record with respect to practicing and non-practicing  
Advocates**

22.1 That on culmination of the initial process of identification of Non-practicing Advocates in the aforesaid manner in the publication of the List of such advocates under Rule 20.4, the State Bar Council shall create and maintain a separate record of such Advocates with all particulars as to name, address, date of birth, date of enrolment, enrolment number, particulars of application for issuance/verification of Certificate of Practice, if any, and of its dismissal. This record shall be updated regularly.

22.2 Every State Bar Council shall send to the Bar Council of India an authenticated soft copy of the record as maintained under Rule 22.1 every year.

22.3 All the Advocates whose certificate of Practice are duly verified shall be issued a certificate of Practice affixing his photograph and mentioning the period of its validity FORM 'B' ; And the State Bar Council shall also issue an Identity card to such Advocates containing a Xerox copy of his photograph and the period of its validity FORM 'D'. The Advocates would be supposed to carry it while practicing in Courts/ Tribunals or other Forums, so that in case of demand by any Law Court/ Authority or any Advocate or any Litigant or citizen one can easily establish that he is an Advocate.

22.4 An Advocate after getting the verified Certificate of Practice under these Rules can appear before any Court of Law/Tribunal or other forum in India as per Section 30 of the Advocates Act subject to fulfillment of any condition imposed by any competent or Court of Law.

### **23. Updating of the electoral rolls of the State Bar Council for the purposes of elections**

On the publication of list of non-practicing Advocates under rule 20.4 and after sending copy of such record to the Bar Council of India under Rule 22.2, the State Bar Councils shall start the process of preparation of electoral roll for elections to the State Bar Councils as per Chapter I, Part-III of the Bar Council of India Rules. No State Bar Council shall undertake to prepare electoral roll or to conduct elections to the State Bar Councils unless the process of verification of Certificate of Practice and of identification of non-practicing advocates is completed under these Rules by publication of their names under Rule 20.4.

Provided that the election/s of the State Bar Council/s where a special committee/committees under section 8A of the Act is/are already functioning on the date of commencement of these rules, shall continue under the existing rules as if these rules have not been enforced. In such State Bar Councils, these Rules shall come into force only after the new State Bar Council is constituted on the declaration/publication of the results of the elections.

The State Bar Councils are required to constitute various Committees for implementation of these Rules. If any State Bar Council is proved to be deliberately slack unnecessarily in verification of Certificate of Practice and identification of non-Practicing Advocates, then in that case Bar Council of India would be at Liberty to take appropriate action under the provisions of Advocates Act, 1961.

## CHAPTER VIII

### APPEAL, REVISION ETC.

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#### 24. Appellate Tribunal

24.1 There shall be an Appellate Tribunal for disposal of appeals under these rules with respect to each State Bar Council and such Tribunal shall comprise of the following members:-

- i. Two Members of the State Bar Council elected by the State Bar Council under Rule 44 A(2)(i) of Bar Council of India Rules under Part VI, Chapter II, Section-(IV A).
- ii. One member of the State Bar Council from amongst the members of the Executive Committee to be nominated by the Chairman of the State Bar Council and another member nominated by the Member, Bar Council of India from the concerned State Bar Council.
- III. Member of the Bar Council of India from the concerned State Bar Council who shall be its Chairman;

24.2 That the quorum of the Appellate Tribunal shall be three members but no final order shall be passed unless the Chairman of the Appellate Tribunal is party thereto.

#### 25. Appeal against order passed under Rule 13/Rule 20.2

That in case the application of an Advocate for verification of Certificate of Practice is dismissed under Rule 13 of these Rules/ in case the name of an Advocate is ordered to be included in the list of "non-practicing Advocates" by the State Bar Council under Rule 20.2, the aggrieved party may, within a period of 60 days of the date of passing of the order or publication of the list of non-practicing advocates under Rule 20.4, prefer an appeal against such order to the Appellate Tribunal but delay in filing the appeal can be condoned, if sufficient cause is shown for such delay.

Every such appeal shall be accompanied by an attested copy of



the impugned Order. The appeal shall not be received and entertained unless it is accompanied by a fee of Rs. 200/- in the form of a Bank draft/ Account Payee Bank Cheque favoring Secretary, State Bar Council of the concerned State Bar Council.

Out of this amount of Rs. 200/-, the Secretary, State Bar Council shall send/ deposit remit a sum of Rs. 50/- to the Account of the Bar Council of India and a sum of Rs. 50/- shall be transferred to the fund known as "Fund for Promotion Bar Associations" under these rules.

Every such appeal shall be heard by the Appellate Tribunal, which may pass such order there on as it deems fit. Appeal is to be decided expeditiously preferably within 90 days of its filing.

#### **26. Stay of operation of order passed under rule 13 and rule 19.2**

Mere filing of an appeal against order passed under rules 13 and 20.2 shall not operate to stay the operation of order appealed against unless its operation is stayed by the Appellate Tribunal on such conditions as it may deem fit.

#### **27. Power of Revision**

27.1 The Bar Council of India may, at any time, call for the record of any proceeding under these Rules which has been disposed of by the State Bar Council or by the Appellate Tribunal, and from which no appeal lies, for the purpose of satisfying itself as to the legality and propriety of such order or disposal and may pass such orders in relation thereto as it may deem fit.

This revision shall be under Part-II, Chapter IX of BCI Rules viz. Section 48A of the Advocates Act, 1961.

27.2 No order which prejudicially affects any Advocate shall be passed under this Rule unless an opportunity of being heard has been afforded to him.

## CHAPTER IX

### RESUMPTION OF PRACTICE

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#### 28. Resumption of Practice

28.1 If an advocate whose name has been included in the "list of non-practicing advocates" published under Rule 20.4, intends to resume law practice in the changed circumstances, he may apply to the State Bar Council that his/her name may be taken out of such list.

28.2 Application for resumption shall be made in Form C along with resumption fee of Rs.2, 000/- and declaration.

Such an application shall be supported by a certificate in Column III of Form A issued by the President/Secretary of the Bar Association, of which the applicant intends to become member for doing practice in law.

28.3 The State Bar Council shall refer such an application for resumption to the Administrative Committee which may pass an appropriate order allowing or dismissing such application provided that such an application shall be allowed only if the Administrative Committee is satisfied that the intent of the applicant to resume law practice is bona fide.

28.4 In case application for resumption is allowed, the name of the applicant shall be taken out of the list of the "non-practicing advocates" and such exclusion shall be duly notified and published as provided by rule 20.3 qua "list of non-practicing advocates".

28.5 That from the date of publication under Rule 28.4, all disabilities suffered by the applicant under rule 21, shall not survive but he/she shall not be entitled for any benefits/privileges that were denied to him under Rule 21 for the period his/her name remained in the "list of non-practicing advocates".

28.6 Out of Rs. 2000/-, a sum of Rs. 1000/- shall be utilized by

**State Bar Council for the purpose of welfare of Advocates and Rs.500/- shall be transferred to the concerned Bar Association and Rs. 500/- shall be utilized by Bar Council of India for the welfare of Advocates.**

## CHAPTER X

### PROCESS FEE FUND

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#### 29. The Verification/Process Fee Fund

The State Bar Council shall open a separate account for this purpose to be operated jointly by the Chairman and Secretary of the State Bar Council.

29.1 That all the payments towards application verification fee, late fee and penalties payable under these rules shall be paid by way of bank drafts/ account payee bank cheques only in the name of Secretary State Bar Council or it may also be deposited in cash to the Secretary, State Bar Council or it may also be deposited in cash to the Secretary, State Bar Council.

29.2 That the all the amount collected under these rules shall be utilized for the following purposes only:-

- (a) To meet the administrative and other expenses arising in connection with these Rules; The rest of amount shall be spent.
- (b) To make contributions to different Bar Associations for the following purposes only:-
  - i. Establishing and improving Law libraries.
  - ii. Improvement of infrastructure in the premises of the Bar Associations which is reserved for the common use of the advocates and to make such other contributions for promoting and strengthening the Bar Associations at the Taluka, District, High Court and Supreme Court levels as it may deem fit.
  - iii. To promote welfare schemes for advocates. Such welfare schemes may include insurance of all kinds with respect to the advocates and their dependent members of the family; pension schemes, stipends for junior and disabled advocates, continued legal education, /training of advocates.

## CHAPTER XI

### MISCELLANEOUS

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#### 30. Removal of difficulties:

In case of any doubt or dispute as to the meaning, interpretation, execution of these Rules arises, the Appellate Tribunal shall be the final authority to settle all such issues and its decision thereon shall be final.

#### 31. Regulatory Powers:

The Bar Council of India shall have the right of issuing such regulations to the State Bar Council from time to time, as are necessary for the proper implementation and execution of these Rules and such regulations shall be complied with by the State Bar Council in letter and spirit so that uniformity is maintained in the application of these Rules throughout the Country.

#### 32. Power of Bar Council of India to form Ad-hoc Committees

In case the term of elected members of any State Bar Council is likely to expire/expires due to delay in the process of identification of non-practicing advocates under these rules or in case of delay in the preparation of the electoral roll for the elections to the State Bar Councils, the Bar Council of India shall constitute an ad-hoc Committee consisting of required number of elected members of the State Bar Council for smooth running of the State Bar Council and for expeditious execution of the aforesaid process. This ad-hoc Committee of State Bar Council shall function under the Special Committee constituted under Section 8A of the Act till the process of preparation of electoral roll as per Chapter I, Part-III of the Bar Council of India Rules for the purpose of elections to the State Bar Council is completed.

#### 33. Saving clause

The Bar Council of India Certificate of Practice and Renewal Rules 2014" are hereby repealed. However, any certificate of the nature of

Certificate of Practice as defined in those Rules and verification/renewal thereof (by whatever name/ manner or form they may have been issued/ granted by the State Bar Councils) or under Bar Council of India Certificate of Practice Renewal Rules 2014 and any other action taken/ order passed by the State Bar Council in connection with any such Rule, before the enforcement of these Rules, shall continue to be valid for a period of five years from the date of its issuance/ renewal, but on the expiry of period of five years, such certificate issued by the State Bar Council is required to be verified under these Rules.

**34. Repeal of all Resolutions/Rules passed/framed either by any State Bar Council or by Bar Council of India**

Any Resolutions/ Rules passed/framed by any State Bar Council or by Bar Council of India, which are inconsistent with these Rules, shall stand repealed from the date on which these Rules come into force.

35. The decision with regard to Rs.500/- or Rs.200/- (as the case may be) as paid by any Advocate as Practice fee as provided under Bar Council of India Certificate of Practice and Renewal Rules, 2014, prior to the date of commencement of these Rules of 2015, shall be taken by the concerned State Bar Council. Either after deducting Rs.100/- as Process/Verification fee the rest of Rs. 400/- or Rs.100/- (as the case may be) is to be refunded to the Advocate or it may be utilized for the insurance of the Advocate and his family or for the benefit and welfare of concerned Advocate. This decision is to be taken by the concerned State Bar Council only after obtaining option of concerned Advocate.

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**FORM - A & FORM - F**

(for Advocates & Advocate on Records)

**APPLICATION FOR ISSUANCE OF CERTIFICATE OF PRACTICE**

(See Rule 8.3 of the BCI Certificate and Place of Practice (Verification) Rules, 2015)

To,

The Secretary,

Bar Council of .....

.....

.....

.....



Sub. : Application for issuance of Certificate of Practice ( /...../.....)

Sir,

I hereby apply to the ..... (name of the State Bar Council)  
for issuance of certificate of practice.

My full particulars are as follows:-

1. Enrolment number on the Roll : .....

2. Date of Enrolment : .....

3. Name of the Advocate : .....

(As given in the Enrolment Certificate):

4. Father's Name: .....

5. Present Residential Address: .....

.....

6. Name of Institution & University from where advocate has done his -

i. Matriculation / 10th..... Name of School/Board/Year of Passing

ii. Graduation ..... Name of College/University/Year of Passing

iii. LL.B. .... Name of College/University/Year of Passing

7. Office Address with Telephone No. ....

.....

4. Form A & F made common vide Resolution No. 305/2015 dated 5/12/2015.

5. Ammended vide Resolution No. 190/2015 dated 9/8/2015.

Mobile No. / Email / Website .....

8. Place of Practice : .....  
(As given in the Application Form for enrolment):
9. Present Place of Practice: .....
10. Date of Birth: .....
11. Name of Bar Association of which applicant is a member .....
12. Whether the applicant, after enrolment, has joined any Government/Semi-Government or Private Service or any other kind of service, if so full particulars be furnished with date of joining of such services: .....
13. Whether the applicant after enrolment, has joined any business, as a full partner/sleeping partner, if so, full particulars be supplied, with an attested copy of business instrument like Partnership deed, MOU, Agreements etc: .....
14. Whether the applicant, after enrolment has incurred any disqualification as mentioned in Section 24-A of the Act, if so, certified copy of judgment / order be attached:
15. Whether applicant, at present, is facing any disciplinary or criminal or contempt proceedings/ convicted in any Criminal or other proceedings or not, if so, full particulars be given: .....
15. Delay, if any, in submitting the application form, reasons to be given: .....
17. Process fee/ Late fee/ Penalty  
Rs. .... by way of Demand Draft No.....  
Date ..... / Account Payee Cheque No.....  
dated ..... or Cash Paid to .....
- on .....
18. Place where the Advocate intends to cast his vote
- i. In Bar Council Elections .....
  - ii. In Bar Association Elections .....



Name of the Bar Association .....

Place .....

- 19. Any other information, applicant wants to submit about his distinctions .....
- 20. If the advocate is not a member of any Bar Association (registered and recognized by the concerned State Bar Council), the reason for not being a member of Bar Association .....
- 21. Whether the advocate intends to become the Member of the Bar Association in future. (Put a 'X' Mark)  
 Yes ..... No .....

I verify that the information/ particulars furnished by me are true and correct to the best of my knowledge and nothing has been kept concealed therein.

I am also submitting herewith Column-II and III of this Form-A.

Date :

Full Signature  
of the Advocate

Note: - One additional passport size photograph is attached/sent herewith.

**FORM - A**  
**COLUMN - II**

(See Rule 8.4 of the BCI Certificate and Place of Practice (Verification) Rules, 2015)

I ..... aged .....  
son of ..... resident of .....  
.....  
enrolled as a advocate on the roll of .....  
..... (name of the State Bar Council)  
vide certificate of enrolment dated and No. ....  
do hereby solemnly affirm and declare as follows: -

1. That after having obtained Certificate of enrolment from the .....  
..... (name of the Bar Council)  
under Section 22 of the Advocates Act, I have not left practice in law.
2. That I usually practice at ..... and I intend  
to cast my vote
  - i. In the elections of the State Bar Council at .....
  - ii. In the elections of Bar Association .....  
(Name and Place of Bar Association)  
(This clause 2(ii) shall not apply to those advocates who do not intend to be the  
members of any Bar Association)
3. That since my enrolment as an advocate, I have not switched over to any other  
profession/services/business and that thereafter, I am doing practice in law.

Date:

Full Signature of the  
Declarant-Advocate

**FORM - A**

**COLUMN - III (Certification)<sup>6</sup>**

(See Rule 8.4 of the BCI Certificate and Place of Practice (Verification) Rules, 2015)

This is to certify that Shri/Mr./Mrs./Ms. ....  
....., Advocate  
S/o, W/o, D/o ..... is a  
bona-fide member of the Bar practicing usually at .....  
..... (name of the Bar Association,  
if any) and he/she has been practicing law since joining this Bar from the year  
..... and has not left such practice and I further  
certify that the particulars disclosed by him/her in the accompanying application  
are correct to my knowledge and belief.

Date :

Full Signature with name of  
Authorized Member  
Bar Council of .....

Full Signature with name of  
President/Secretary  
Bar Association  
(Seal)

<sup>6</sup> N.B. - In this certification the declaration should contain/attach the certified copies of atleast 5 Vakalatnamas or any other document/cause list establishing that the advocate has been in practice for last 5 years.

<sup>6</sup> N.B. - If the advocate is attached with some Registered law or Solicitor firm, he shall furnish a certificate to that effect from the Authorized Officer of concerned Firm showing details as to for what period Candidate/Advocate has served the firm and nature of his details.

<sup>6</sup> If the lawyer is a conveyancing lawyer, he shall furnish 5 (five) such documents of last 3 years to support his claim that he is in conveyancing practice lawyer.

6. Inserted vide Resolution No. 305/2015 dated 5/12/2015.

**FORM - B**

(For Office use only)

Bar Council of .....

Passport size Photograph of the Advocate
--

**Certificate of Practice**

[Issued under B. C. I. Certificate and Place of Practice  
(Verification) Rules, 2015]

C. O. P. No. \_\_\_\_\_ of \_\_\_\_\_

This is to certify that Sturi/Mr./Mrs./Ms. .... S/o, W/o,  
D/o ..... R/  
o .....

..... PS  
..... dated ..... is an advocate enrolled in  
the Bar Council of ..... His  
enrolment number is ..... dated .....  
and his normal place of practice is .....

He is entitled to cast his vote for the election of Bar Council of .....  
..... at ..... (Place) and in the  
elections of Bar Association of ..... (name & place  
of Bar Association, if applicable).

This certificate of practice is valid for a period of 5 years from the date of its issuance.

Date: .....

**Chairman/Vice-Chairman  
Authorized Signatory  
(Seal of the State Bar Council)**

**FORM - C**

**APPLICATION FOR RESUMPTION OF CERTIFICATE OF PRACTICE**

(See Rule 28.2 of B. C. I. Certificate and Place of Practice (Verification) Rules, 2015)

To,  
The Secretary,  
Bar Council of .....



Sub. : Application for resumption of Certificate of Practice ( /...../.....)

Sir,

I hereby apply to the .....(name of the State Bar Council)  
for issuance of certificate of practice.

My full particulars are as follows:-

1. Enrolment number on the Roll : .....
  2. Date of Enrolment : .....
  3. Name of the Advocate : .....  
( As given in the Enrolment Certificate):
  4. Father's Name: .....
  5. Present Residential Address: .....
  6. Name of Institution & University from where advocate has done his  
i. Graduation ..... year .....
  - ii. LL.B. .... year .....
  7. Office Address with Telephone No. ....
- Mobile No. / Email / Website .....

8. Place of Practice : .....  
(As given in the Application Form for enrolment):
9. Present Place of Practice: .....
10. Date of Birth : .....
- 11.1. That in the changed circumstances, I intend to resume law practice.
- 11.2. That after enrolment I have not suffered and incurred any disqualification s mentioned in Section 24-A of the Advocates Act.
12. Particulars of the Certificate of Practice issued to the application if any :-
- a. Whether issued under AIBE Rules, if so, its number and date  
.....
  - b. Whether issued by the State Bar Council under these rules, if so, its number and date (self attested photo copies of the certificate of practice to be annexed with this application).....  
.....
  - c. Particulars of the notification, whereby the applicant was put in the list of "Non-Practicing Advocate" .....  
.....
13. Whether the applicant after enrolment has joined any Government/Semi-Government or Private Service or any other kind of service, if so full particulars be furnished with date of joining of such services: .....
14. Whether the applicant after enrolment, has joined any business, as a full partner/ sleeping partner, if so, full particulars be supplied, with an attested copy of business instrument like Partnership deed, MOU, Agreements etc. ....
15. Whether the applicant, after enrolment has incurred any disqualification as mentioned in Section 24-A of the Act, if so, certified copy of judgment / order be attached:
16. Whether applicant, at present, is facing any disciplinary proceedings/ convicted in any Criminal proceedings or not, if so, particulars be given: .....
17. Delay, if any, in submitting the application form, reasons to be given:  
.....  
.....  
.....

18. Verification fee/ Late fee/ Penalty

Rs. .... by way of Demand Draft No..... Date  
...../ Account Payee Cheque No..... dated  
..... or Cash Paid to .....  
..... on .....

18. Place where the Advocate intends to cast his vote

i. In Bar Council Elections .....

ii. In Bar Association Elections.....

Name of the Bar Association .....

Place .....

(This clause shall not apply to advocate who does not intend to be a member of any Bar Association)

19. Any other information, applicant wants to submit about his distinctions.

I verify that the information/ particulars furnished by me are true and correct to the best of my knowledge and nothing has been kept concealed therein. I bona-fide intend to resume Law practice.

Date :

Signature  
of the Advocate

**FORM - D**

Bar Council of .....

**IDENTITY CARD**

Passport size Photograph of the Advocate
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1. Card No. ....
1. Name .....
2. Father's Name .....
3. Enrolment No., Year & date .....
4. Address .....
- .....
- .....
- Email ID .....
- Telephone/Mobile No. ....
5. Normal Place of Practice .....
6. Date of expiry of I-Card .....
7. Place where Advocate is entitled to vote in elections of State Bar Council .....
- .....
8. Place/name of Bar Association (if any) where Advocate is entitled to vote in election of Bar Association .....

Date:

**Chairman/Vice-Chairman**  
**Authorized Signatory**  
**(Seal of the State Bar Council)**

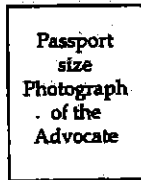


**FORM - E<sup>7</sup>**

**FOR SENIOR ADVOCATES**

(See Rule 5(a) of the Bar Council of India Certificate and Place of Practice (Verification), Rules 2015)

To,  
The Secretary,  
Bar Council of .....



Name: .....

Father's Name: .....

Enrolment No. and Date: .....

Email Id: .....

Place where the Sr. Advocate to cast his vote in the elections of State Bar Council:  
.....

Name/Place of Bar Association where the Senior Advocate casts his vote:  
.....

Signature, Designation & Seal  
of the authorized signatory  
of S.C.B.A./A.O.R. Association

Signature of Senior  
Advocate/A.O.R.

Date: .....

## REPORT ON VERIFICATION PROCESS

1. 10/04/2023 - Supreme Court order dated 10/04/2023 for Verification
2. BCI appointed High Power Verification Committee to monitor verification process.
3. 27/07/2023 - BCI letter for demanding information of updation of Verification.
4. BCMG send information as demanded by BCI
5. 27/09/2023 - BCI letter to give correct data as per **HPVC** before 03/10/2023 in which it was informed that the **Verification process will not be applicable to Senior Advocate / AOR of Supreme Court and Advocate enrolled prior to 1990.**
6. 18/10/2023 - BCI letter forming HPVC and proceeding time to time and the decision taken by the said Committee that **on failure for doing Verification, the right of practice may be taken away** by said Committee.
7. 20/10/2023 - BCI letter to furnish data as per given chart.
8. 15/01/2024 - BCMG has furnished the data to BCI
9. 14/01/2024 - BCI letter for written data
10. Paper Notice
11. 06/02/2024 - BCI letter to Universities for urgent compliance for Supreme Court Judgement for providing verification of degree free of cost.

**Reportable**

**IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION**

**Writ Petition (Civil) No 82 of 2023**

**Ajay Shankar Srivastava**

**... Petitioner(s)**

**Versus**

**Bar Council of India & Anr**

**... Respondent(s)**

**J U D G M E N T**

**Dr Dhananjaya Y Chandrachud, CJI**

1 The petitioner, who is a practising advocate, has invoked the jurisdiction of this Court to seek two distinct reliefs. The first of them is for challenging an office order dated 1 November 2022 of the Bar Council of India to all the State Bar Councils, the purport of which (according to the petitioner) was to interdict the process of verification of advocates who are enrolled with the State Bar Councils for scrutinizing the genuineness of their degrees and enrollments. The second issue deals with the method of co-opting members of the State Bar Councils to fill up casual vacancies.

2 We have heard Mr Anand Nandan, counsel appearing on behalf of the petitioner and Mr Manan Kumar Mishra, senior counsel, appearing on behalf of the Bar Council of India with Mr Apurba Kumar Sharma.

Signature Not Verified  
Digitally signed by  
Sanjay Kumar  
Date: 2024.04.13  
11:25:04 IST  
Reason:



3 In 2015, the Bar Council of India notified the Bar Council of India Certificate and Place of Practice (Verification) Rules 2015<sup>1</sup>. The process of verification of the certificates and place of practice commenced with efforts by the State Bar Councils and the Bar Council of India.

4 The 2015 Rules were challenged before several High Courts, including the High Court of Delhi. A Transfer Petition was instituted before this Court by the Bar Council of India. The proceedings pending before diverse High Courts were transferred to this Court in Transferred Case (Civil) No 126 of 2015.

5 The Bar Council of India constituted a High Powered Committee for monitoring the process of verification which was headed by a former Judge of the Supreme Court, two former Judges of the High Courts and three members of the Bar Council of India.

6 The process of verification encountered difficulties as a result of the charges which were demanded by the Universities for verification of the educational certificates of the advocates. On 1 March 2017, a two-Judge Bench of this Court issued a direction to all the Universities not to demand charges for verification of educational certificates.

7 The process of verification has consumed time as the number of advocates which stood at 16 lakh, at the material time, is estimated to be almost 25.70 lakh, at the present. The counter affidavit which has been filed by the Bar Council of India indicates the State-wise position in regard to verification of enrolled advocates. The tabulated statement is produced below:

1 “2015 Rules”

S. No.	State	Total No. of Advocates enrolled	Total No. of forms Received Under verification	Total No. of forms Received Under declaration	Total forms received	Number of degrees sent to Universities for Verification	Number of report received back from University after Verification	Detail of fake degree/fake advocates, if any, after verification	Data received on
		1	2	3	4	5	6	7	8
1	Andhra Pradesh	63394	28323	9053	37376	27347	17174	14	18.11.2022
2	Delhi	146556	32195	12204	44399	86850	67780	117	26.11.2022
3	Gujarat	113110	31479	7385	38264	21550	8942	0	23.11.2022
4	Himachal Pradesh	11426	3548	4194	3548	6903	6903	0	29.11.2022
5	Jharkhand	32768	16670	618	17288	19019	10253	2	25.11.2022
6	Karnataka	110125	49073	7578	56651	43886	18500	0	19.11.2022
7	Kerala	62776	21910	5878	0	24494	20001	0	15.11.2022
8	Maharashtra & Goa	220450	67944	22550	90494	69605	51000	7	29.11.2022
9	Odisha	59198	29152	6781	35933	25857	1757	0	15.12.2022
10	Punjab & Haryana	130662	41719	2250	43969	39690	21950	0	09.12.2022
11	Rajasthan	97730	47475	2015	49490	45377	37330	0	14.11.2022
12	Tamil Nadu	122591	38230	21756	59986	38007	28773	0	14.11.2022
13	Tripura	1801	660	18	678	639	594	0	09.12.2022
14	Uttar Pradesh	414568	157347	55747	213094	137608	67913	0	02.12.2022
15	Uttarakhand	19499	8011	3313	11324	8011	5343	0	11.11.2022
16	West Bengal	75353	26004	6800	32804	23435	9000	0	29.11.2022
17	Assam, Nagaland etc.	38307	21495	4365	25860	7309	8	0	23.11.2022
18	Bihar	134227	49851	4938	54789	12313	849	2	06.11.2022
19	Chhattisgarh	31825	12600	1099	13699	11761	10713	0	11.11.2022
20	Madhya Pradesh	122082	47937	17206	65143	27591	8245	0	05.01.2023
21	Manipur	778	649	649	649	649	11	0	15.11.2022
22	Telangana	46847	22547	2912	25459	17557	10116	2	23.11.2022
23	Meghalaya	1347	268	428	1571	0	0	0	21.12.2022
24	Jammu & Kashmir	Information has not been received							
	Total	2057420	755087	199737	922468	695458	403155	144	



- 8 The above statement indicates that out of 20.57 lakh advocates, about 7.55 lakh forms were received for the purpose of verification. Senior advocates and advocates-on-record were only required to issue a declaration and, accordingly, 1.99 lakh declarations have been received. The total number of forms received is, thus, 9.22 lakhs, as indicated in the above table.
- 9 The above table indicates that a majority of advocates enrolled with the State Bar Councils have not submitted their verification forms. The Bar Council of India apprehends that many advocates who have not submitted their forms for verification are persons who are not qualified or are "in possession of fake degrees". The Bar Council of India has submitted and, with justification, that this class of persons, without the possession of qualifications required for law practice, is known to enter upon the arena of courts for extraneous purposes, including the disruption of work. The Bar Council of India is justified in asserting that such persons have to be identified and weeded out from the list of advocates enrolled with the Bar Councils.
- 10 The due verification of advocates who are enrolled with the State Bar Councils, is of utmost importance to preserve the integrity of the administration of justice. Persons who profess to be lawyers, but do not either have the educational qualifications or degree certificates on the basis of which they could have lawfully granted entry to the Bar, pose a grave danger to the administration of justice to citizens. Hence, it is the duty of every genuine advocate of the country to ensure that they cooperate with the Bar Council of India which is

seeking to ensure that the certificates of practice are duly verified, together with the underlying educational degree certificates. Unless this exercise is carried out periodically, there is a danger that the administration of justice would be under a serious cloud. The written submission which has been placed on the record by the Bar Council of India indicates that several such persons have been elected to State Bar Councils and some persons have thereafter occupied judicial office in the district judiciary as well.

- 11 The communication which was issued by the Bar Council of India on 1 November 2022 took exception to the fact that the Bar Council of the State of Uttar Pradesh had started the process of verification in a hurried manner without verifying the genuineness and validity of the educational certificates and degrees of advocates. The letter adverts to the fact that certificates of practice were being issued by the State Bar Council. Hence, all State Bar Councils were directed not to proceed with the process of verification till further orders. However, it was clarified that the State Bar Councils which are verifying the genuineness and validity of degree certificates shall continue to do so.
- 12 Mr Manan Kumar Mishra, Senior Counsel and the Chairperson of the Bar Council of India, has clarified, during the course of the submission, that the intent of the letter dated 1 November 2022 was not to direct the cessation of the process of verification, but only to ensure that the process of verification was not carried out merely on the basis of the certificates of practice issued by the State Bar Council without verifying the genuineness and validity of degree certificates.



13 Having regard to the larger dimensions of this matter and the direct impact which the enrollment of fake degree holders and other persons who are not found to be in possession of the qualifications required for entry into the Bar have on the administration of justice, we accede to the suggestion of the Bar Council of India that a High Powered Committee should be constituted by this Court to monitor the process of verification. In our view, such a High Powered Committee should be chaired by a former Judge of this Court and its members should consist of: (i) two Judges of the High Court; (ii) two senior advocates; and (iii) three members of the Bar Council of India. The above suggestion has been accepted by the Bar Council of India.

14 We accordingly direct that the Committee shall consist of the following persons:

- (i) Mr Justice Deepak Gupta, former Judge of the Supreme Court;
- (ii) Mr Justice Arun Tandon, former Judge of the High Court of Judicature at Allahabad;
- (iii) Mr Justice Rajendra Menon, former Chief Justice of the High Court of Delhi;
- (iv) Mr Rakesh Dwivedi, Senior Advocate; and
- (v) Mr Maninder Singh, Senior Advocate.

The Bar Council of India shall be at liberty to nominate three members. The Secretary to the Bar Council of India shall be the nodal officer to facilitate all logistical assistance to be rendered to the members of the Committee. The



honorarium payable to the members of the Committee shall be fixed by the Chairperson in consultation with the Bar Council of India.

- 15 The Committee constituted by this Court is empowered to monitor the process of verification. The Committee would be at liberty to issue necessary guidelines and directions to ensure that the process of verification of advocates is duly carried out. The process of verification shall encompass both the educational degree certificates and the certificates of enrollment of the advocates concerned. All State Bar Councils shall comply with the directions of the Committee and report compliance.
- 16 All Universities and Examination Boards shall verify the genuineness of the educational certificates without charging any fee for the purpose of verification. The requisitions made by the Bar Councils shall be carried out without undue delay and the reports of the verification shall be submitted expeditiously.
- 17 We request the Committee to commence work at its early convenience by convening the first meeting on a mutually convenient date and time. A status report shall be submitted before this Court by 31 August 2023 on the process which is being carried out.
- 18 We clarify that the present order for constituting the Committee in order to effectuate the process of verification shall not be in and of itself construed as a direction for extending the existing terms of the Bar Councils.

19 List the petition on 11 September 2023.

.....CJI.  
[Dr Dhananjaya Y Chandrachud]

.....J.  
[Pamidighantam Sri Narasimha]

.....J.  
[J B Pardiwala]

New Delhi;  
April 10, 2023  
-S-

ITEM NO.28

COURT NO.1

SECTION X

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s).82/2023

AJAY SHANKAR SRIVASTAVA

Petitioner(s)

VERSUS

BAR COUNCIL OF INDIA & ANR.

Respondent(s)

(FOR ADMISSION and IA No.15785/2023-EXEMPTION FROM FILING O.T.)

Date : 10-04-2023 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA

HON'BLE MR. JUSTICE J.B. PARDIWALA

For Petitioner(s) Mr. Anand Nandan, Adv.  
Mr. Amit Pawan, AOR  
Mr. Dhruv Shankar Misra, Adv.  
Mr. Mohd Faiz, Adv.  
Mr. Zubair, Adv.  
Mr. Aakarsh, Adv.  
Ms. Shubhangi, Adv.  
Mr. Akshat Srivastava, Adv.

For Respondent(s) Mr. Manan Kumar Mishra, Sr. Adv.  
Mr. Apurba Kumar Sharma, Sr. Adv.  
Ms. Radhika Gautam, AOR  
Ms. Anjul Divedi, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

1 In terms of the signed reportable judgment, we direct that the Committee shall consist of the following persons:

(i) Mr Justice Deepak Gupta, former Judge of the Supreme Court;

- (ii) Mr Justice Arun Tandon, former Judge of the High Court of Judicature at Allahabad;
- (iii) Mr Justice Rajendra Menon, former Chief Justice of the High Court of Delhi;
- (iv) Mr Rakesh Dwivedi, Senior Advocate; and
- (v) Mr Maninder Singh, Senior Advocate.

The Bar Council of India shall be at liberty to nominate three members. The Secretary to the Bar Council of India shall be the nodal officer to facilitate all logistical assistance to be rendered to the members of the Committee. The honorarium payable to the members of the Committee shall be fixed by the Chairperson in consultation with the Bar Council of India.

- 2 The Committee constituted by this Court is empowered to monitor the process of verification. The Committee would be at liberty to issue necessary guidelines and directions to ensure that the process of verification of advocates is duly carried out. The process of verification shall encompass both the educational degree certificates and the certificates of enrollment of the advocates concerned. All State Bar Councils shall comply with the directions of the Committee and report compliance.
- 3 All Universities and Examination Boards shall verify the genuineness of the educational certificates without charging any fee for the purpose of verification. The requisitions made by the Bar Councils shall be carried out without undue delay and the reports of the verification shall be submitted expeditiously.



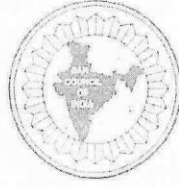
- 4 We request the Committee to commence work at its early convenience by convening the first meeting on a mutually convenient date and time. A status report shall be submitted before this Court by 31 August 2023 on the process which is being carried out.
- 5 We clarify that the present order for constituting the Committee in order to effectuate the process of verification shall not be in and of itself construed as a direction for extending the existing terms of the Bar Councils.
- 6 List the petition on 11 September 2023.
- 7 List Transferred Case No 126 of 2015 and connected matters with Writ Petition (Civil) No 82 of 2023 on the next date of listing.

**(SANJAY KUMAR-I)**  
**DEPUTY REGISTRAR**

**(SAROJ KUMARI GAUR)**  
**ASSISTANT REGISTRAR**

**(Signed reportable judgment is placed on the file)**

E-mail : bcinfo21@gmail.com  
 info@barcouncilofindia.org  
 Website : www.barcouncilofindia.org



Tel. : (91) 011-4922 5000  
 Fax : (91) 011-4922 5011

# भारतीय विधिज्ञ परिषद् BAR COUNCIL OF INDIA

(Statutory Body Constituted under the Advocates Act, 1961)

21, Rouse Avenue Institutional Area, Near Bal Bhawan, New Delhi - 110002

BCI:D: 5813 / 2023

Date: 27.09.2023

To,

The Secretary/ies

All the State Bar Council/s

**Sub.: Request for furnishing of Correct and Up-to-date Information/data relating to verification of genuineness and validity of Degrees/Certificates of Advocates for High Powered Verification Committee by/on/before 5 PM of 03.10.2023.**

Dear Sir/Ma'am,

As per the direction dated 05.08.2023 issued by the High-Powered Verification Committee constituted by the Supreme Court of India upon the request of the Bar Council of India vide its Order dated 10.04.2023 in Writ Petition (Civil) No.82/2023 titled as Ajay Shankar Srivastava Vs. Bar Council of India & Anr. for verification of certificates to monitor the process of verification of genuineness and validity of degrees/certificates of Advocates enrolled with the State Bar Councils, we kindly request your prompt attention to the following details to be placed before the High-Powered Verification Committee: -

1. Total Number of Advocates Registered with your State Bar Council.
2. Total Number of Forms Received under Verification until 15th April 2023 and beyond.
3. Total Number of Forms Received under Declaration by the designated Senior Advocates and Advocates-on-Record in the Supreme Court of India.
4. Number of degrees sent to Universities/Examination Boards for Verification.

*Cy,*  
*verified file*  
*8/7/10/23*

5. Number of reports received back from Universities/ Examination Boards after Verification.

6. Details of fake Degrees/fake persons, if any, found after verification, specifying the Number of Advocates found to have fake degrees, fake qualifications or any other impediment under the Rules.

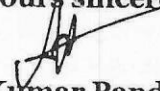
The Committee has further directed the State Bar Councils should expedite the verification process and those State Bar Councils, where the number of forms to be verified is less than 10,000 the Bar Council may make an effort to have these verified by 30.11.2023. In those Bar Councils where number of unverified certificates is more than 10,000 the respective Bar Council should make an effort to have the degrees verified year-wise starting from newest to the oldest meaning first 2023, then 2022, then 2021, then 2020 and so on.

It is again reiterated that this verification process will not be applied to Senior Advocates and Advocates-on-Record of the Supreme Court of India and Advocates who have been enrolled prior to 1990.

The Bar Council of India looks forward to receiving the requested information by/on/before 5 PM of 03.10.2023

Thanking you,

**Yours sincerely,**

  
**(Ashok Kumar Pandey)**  
**Joint Secretary**  
**Bar Council of India**



**Intimation of Resolution dated 17.10.2023 passed by the General Council of the Bar Council of India.**

1 message

Bar Council of India <bciinfo21@gmail.com>  
Bcc: barcouncilmahgoa@gmail.com

Wed, Oct 18, 2023 at 6:49 PM

BCI:D:6142/2023

Date: 18.10.2023

To,

The Secretary/ies,  
All the State Bar Council/s.

Sub.: Intimation of Resolution dated 17.10.2023 passed by the General Council of the Bar Council of India.

Sir(s)/Ma'am(s),

This is to bring to your kind notice that the General Council of the Bar Council of India in its meeting dated 17.10.2023 has passed the following Resolution: -

*"From the news reports as well as the various posts circulated on social media and the complaints made by two Advocates enrolled with Bihar State Bar Council, it appears that the Bihar State Bar Council has notified the election of its members and even fixed the dates for nomination as well as the election also.*

*The Council has treated this action with utmost seriousness, as it blatantly violates the rules and regulations and such step is obviously in complete violation of not only Rule-32 of Bar Council of India Certificate and Place of Practice (Verification) Rules, 2015, but, also of the Order dated 10.04.2023 passed by the Hon'ble Apex Court in Writ Petition (Civil) No.82/2023. The relevant parts of the aforesaid order are quoted herein below: -*

3. *In 2015, the Bar Council of India notified the Bar Council of India Certificate and Place of Practice (Verification) Rules 2015. The process of verification of the certificates and place of practice commenced with efforts by the State Bar Councils and the Bar Council of India.*
4. *The 2015 Rules were challenged before several High Courts, including the High Court of Delhi. A Transfer Petition was instituted before this Court by the Bar Council of India. The proceedings pending before diverse High Courts were transferred to this Court in Transferred Case (Civil) No 126 of 2015.*
5. *The Bar Council of India constituted a High Powered Committee for monitoring the process of verification which was headed by a former Judge of the Supreme Court, two former Judges of the High Courts and three members of the Bar Council of India.*



6. The process of verification encountered difficulties as a result of the charges which were demanded by the Universities for verification of the educational certificates of the advocates. On 1 March 2017, a two-Judge Bench of this Court issued a direction to all the Universities not to demand charges for verification of educational certificates.

7. The process of verification has consumed time as the number of advocates which stood at 16 lakh, at the material time, is estimated to be almost 25.70 lakh, at the present. The counter affidavit which has been filed by the Bar Council of India indicates the State-wise position in regard to verification of enrolled advocates.

8. The above statement indicates that out of 20.57 lakh advocates, about 7.55 lakh forms were received for the purpose of verification. Senior advocates and advocates-on-record were only required to issue a declaration and, accordingly, 1.99 lakh declarations have been received. The total number of forms received is, thus, 9.22 lakhs, as indicated in the above table.

9. The above table indicates that a majority of advocates enrolled with the State Bar Councils have not submitted their verification forms. The Bar Council of India apprehends that many advocates who have not submitted their forms for verification are persons who are not qualified or are "in possession of fake degrees". The Bar Council of India has submitted and, with justification, that this class of persons, without the possession of qualifications required for law practice, is known to enter upon the arena of courts for extraneous purposes, including the disruption of work. The Bar Council of India is justified in asserting that such persons have to be identified and weeded out from the list of advocates enrolled with the Bar Councils.

10. The due verification of advocates who are enrolled with the State Bar Councils, is of utmost importance to preserve the integrity of the administration of justice. Persons who profess to be lawyers, but do not either have the educational qualifications or degree certificates on the basis of which they could have lawfully granted entry to the Bar, pose a grave danger to the administration of justice to citizens. Hence, it is the duty of every genuine advocate of the country to ensure that they cooperate with the Bar Council of India which is seeking to ensure that the certificates of practice are duly verified, together with the underlying educational degree certificates. Unless this exercise is carried out periodically, there is a danger that the administration of justice would be under a serious cloud. The written submission which has been placed on the record by the Bar Council of India indicates that several such persons have been elected to State Bar Councils and some persons have thereafter occupied judicial office in the district judiciary as well.

13. Having regard to the larger dimensions of this matter and the direct impact which the enrollment of fake degree holders and other persons who are not found to be in possession of the qualifications required for entry into the Bar have on the administration of justice, we accede to the suggestion of the Bar Council of India that a High Powered Committee should be constituted by this Court to monitor the process of verification. In our view, such a High Powered Committee should be chaired by a former Judge of this Court and its members should consist of: (i) two Judges of the High Court; (ii) two senior advocates; and (iii) three members of the Bar Council of India. The above suggestion has been accepted by the Bar Council of India.

14. We accordingly direct that the Committee shall consist of the following persons:



- (i) Mr. Justice Deepak Gupta, former Judge of the Supreme Court;
- (ii) Mr. Justice Arun Tandon, former Judge of the High Court of Judicature at Allahabad;
- (iii) Mr. Justice Rajendra Menon, former Chief Justice of the High Court of Delhi;
- (iv) Mr. Rakesh Dwivedi, Senior Advocate; and
- (v) Mr. Maninder Singh, Senior Advocate.

The Bar Council of India shall be at liberty to nominate three members. The Secretary to the Bar Council of India shall be the nodal officer to facilitate all logistical assistance to be rendered to the members of the Committee. The honorarium payable to the members of the Committee shall be fixed by the Chairperson in consultation with the Bar Council of India.

15. The Committee constituted by this Court is empowered to monitor the process of verification. The Committee would be at liberty to issue necessary guidelines and directions to ensure that the process of verification of advocates is duly carried out. The process of verification shall encompass both the educational degree certificates and the certificates of enrollment of the advocates concerned. All State Bar Councils shall comply with the directions of the Committee and report compliance.

16. All Universities and Examination Boards shall verify the genuineness of the educational certificates without charging any fee for the purpose of verification. The requisitions made by the Bar Councils shall be carried out without undue delay and the reports of the verification shall be submitted expeditiously.

17. We request the Committee to commence work at its early convenience by convening the first meeting on a mutually convenient date and time. A status report shall be submitted before this Court by 31 August 2023 on the process which is being carried out.

Pursuant to the afore-mentioned Order of Hon'ble Apex Court, the High-Powered Committee of Bar Council of India for verification of certificates started its work and several directions were issued to all the State Bar Councils for expediting the process of Verification of certificates/degrees of all the Advocates and certain guidelines were also issued for the online enrolments in future in order to make the process of verification easier.

The last meeting of the High-Powered Committee (held on 8<sup>th</sup> October, 2023) has taken the matter very seriously and it has observed that only 41.48% Advocates have applied for verification and majority of the enrolled Advocates have not applied for verification uptill now and the next meeting of the Committee has been fixed for 20.01.2024. The State Bar Councils are to submit their reports latest by 15.01.2024. The Committee has further observed "the Committee is of the view at some action will have to be taken to ensure that all enrolled Advocates apply for verification, failing which the Committee may take appropriate action, including taking away the right to practice, to ensure that the verification process is not brought to a halt".

The Committee has further resolved as follows: -

The relevant extract of the minutes of the meeting dated 08.10.2023 of the High-Powered Committee is quoted herein below: -

It is heartening to note that verification process has gained momentum after this Committee started monitoring the same. However, without naming any Bar Council we are constrained to



observe that in some States the speed is not as quick as expected.

We, therefore, request the Secretary of the Committee to send a communication in this regard addressed to the Chairman and Secretaries of all the State Bar Councils along with copies of all the resolutions passed by this Committee till date.

We request the Chairman of the Bar Councils to take personal interest in the matter and to ensure that the Bar Councils themselves also monitor the process of verification on a monthly basis and ensure that at least 10,000 to 20,000 certificates are verified each month till the next date and the Chairman of the State Bar Councils shall ensure that the Secretary of the State Bar Council/s send a report to the Bar Council of India of the progress made by 31.12.2023 and the report in this regard is submitted to the Bar Council of India on or before 15.01.2024.

It is to be noted that the Rule-32 was inserted in the Bar Council of India Certificate and Place of Practice (Verification) Rules, 2015 in the light of the order of Hon'ble Apex Court and with a view to weed out all the fake degree holders as well as the nonpractitioners from the Bar. It is to be noted further that Bihar is the state where, after finding the certificate of an elected Member of the State Bar Council (namely Ms. Shahnaz Fatima) to be fake/invalid, her name was removed from the roll of the State by this Council under the provisions of the Advocates Act, 1961. The seriousness of the situation in the State of Bihar could be easily visualized from this instance itself.

Therefore, it is not at all safe to allow unverified certificate/degree holders to participate in the process of election and/or to be the voters/candidates for the election of the members of any State Bar Council. This will frustrate the very purpose of the Bar Council of India Certificate and Place of Practice (Verification) Rules, 2015, the purport of the Order of Hon'ble Apex Court in Writ Petition (Civil) No.82/2023 and the very object for which the High-Powered Committee of Bar Council of India has been constituted for the verification of the certificates.

Accordingly, the Council resolves that no State Bar Council shall be allowed to notify the elections of its Members without completion of process of Verification and/or in violation of Rule-32 of Bar Council of India Certificate and Place of Practice (Verification) Rules, 2015.

If, henceforth, any State Bar Council issues any notification of election without the completion of the process of verification contrary to Rule-32 of Bar Council of India Certificate and Place of Practice (Verification) Rules, 2015, the Bar Council of India shall immediately, issue notice to the Chairman and all the Members of such State Bar Council concerned to explain as to why the notification issued by the concerned State Bar Council/s be not set-aside/quashed. Thereafter, if the Council is not satisfied with the explanation of the State Bar Council, and/or if the State Bar Council/s does not furnish a response within the stipulated time given to them, then in such event, the Council may dissolve the State Bar Council and constitute the Special Committee under Section-8A of the Advocates Act, 1961 for the purpose of verification of certificates and degrees of all the Advocates enrolled with it and only thereafter, notify the elections. However, in case of genuine reasons/explanations shown by any State Bar Council/s, this Council may give another opportunity to the elected Members to complete the process of verification and then only to notify the election. The Council shall also be at the liberty to issue interim orders, if it deems fit under the facts and circumstances of the same.

The Secretary, Bar Council of India is requested and directed to communicate this order/resolution to all the State Bar Councils without any delay.

Keeping in view, the above, the Council resolves to issue notice to the Hon'ble Chairman and all the Hon'ble Members of Bihar State Bar Council to explain as to why the election notification issued by the State Bar Council be not set-aside/quashed.

The said explanation/show cause reply, if any, must be submitted by the Chairman/Members of Bihar State Bar Council on or before 05.11.2023, failing which the ex-parte order may be passed by this Council.

The Complainants have also requested for an interim resolution/order staying the operation of the election notification of Bihar State Bar Council. At present, no stay can be granted, however, this request will be considered after receipt of explanation on next date i.e. 11.11.2023.

The Council further resolves to constitute the 3-Members-Committee consisting of Hon'ble Mr. S. Prabakaran, Vice-Chairman, Hon'ble Mr. Apurba Kumar Sharma, Chairman, Executive Committee and Hon'ble Dr. Amit Vaid, Member, Bar Council of India to hear the matter and make its recommendations at the earliest to the Central Election Tribunal No.3 (the concerned Tribunal) for a final decision, keeping in view the urgency and importance of the matter. The Central Election Tribunal may either stay or set-aside the elections of Bihar State Bar Council for the violation of the mandatory Rule-32 if it thinks fit and proper. This part of the resolution is being taken in view of the fact that Bihar State Bar Council has issued the notification and hence the jurisdiction will lie with the Tribunal only.

The complainants have also expressed concerns regarding the exclusion of a significant portion of Advocates from the State Bar Council's electoral roll. After careful consideration and discussion, Council believes that such grievances should be addressed through the appropriate statutory channels, specifically the Central Election Tribunal, and not through this Council or any other authority.

Therefore, if any Advocate including the complainants, have concerns regarding their exclusion from the voters' list of any State Bar Council, the sole recourse available to them would be to seek redressal through the relevant statutory authority in accordance with the Bar Council of India's rules.

Note-It is to be noted that while this matter was taken-up, Mr. Manan Kumar Mishra, Hon'ble Chairman, Bar Council of India recused himself from the matter. Hon'ble Vice-Chairman, Bar Council of India presided over this agenda.

Resolved Accordingly."

This is for your necessary information and compliance.

Thanking you,

Yours sincerely,

(Srimanto Sen)  
Secretary  
Bar Council of India



E-mail : bciinfo21@gmail.com  
 info@barcouncilofindia.org  
 Website : www.barcouncilofindia.org



Tel. : (91) 011-4922 5000  
 Fax : (91) 011-4922 5011

# भारतीय विधिज्ञ परिषद् BAR COUNCIL OF INDIA

(Statutory Body Constituted under the Advocates Act, 1961)

21, Rouse Avenue Institutional Area, Near Bal Bhawan, New Delhi - 110002

BCI:D:6162/2023

Date: 20.10.2023

To,

The Secretary/ies,  
 All the State Bar Council/s.

- Sub.: 1. Request for furnishing of Correct and Up-to-date Information/data relating to verification of genuineness and validity of Degrees/Certificates of Advocates to be placed before the High-Powered Verification Committee by/on/before 5 PM of 15.01.2024.
2. Direction of Hon'ble High-Powered Committee to provide information for Comprehensive Assessment of Software Development Factors for Advocate Certificate/Degree Verification Process for development of Enterprise Solution for Online Enrolment and Simultaneous Verification Software.

Sir(s)/Ma'am(s),

As per direction dated 08.10.2023 of the Hon'ble High Powered Committee of Bar Council of India for verification of certificate constituted by Hon'ble Supreme Court of India (on the request of Bar Council of India) vide its Order dated 10.04.2023 in Writ Petition (Civil) No.82/2023 titled as Ajay Shankar Srivastava Vs. Bar Council of India & Anr. to monitor the process of verification of genuineness and validity of degrees/certificates of Advocates enrolled with the State Bar Councils, you are kindly requested to furnish the Correct and Up-to-date Information/data relating to verification of genuineness and validity of Degrees/Certificates of Advocates for High Powered Verification Committee by/on/before 5 PM of 15.01.2024. Kindly update the data as per the below modified chart, as the Committee found that certificates/degrees being verified was not being specified in the verification reports. Apart for verification of certificates/degrees, the BCI shall also utilize the information to develop a National Data Grid (software for all Advocates) which can be utilized for benefit of the Advocates fraternity.

1. Total Number of Advocates Registered with your State Bar Council.
2. Total Number of Forms Received under Verification until 31<sup>st</sup> December, 2023 and beyond.
3. Total Number of Forms Received under Declaration by the designated Senior Advocates and Advocates-on-Record in the Supreme Court of India.
4. Number of degrees sent to Universities/Examination Boards for Verification.
  - i. LL.B.
  - ii. Graduation (if applicable)
  - iii. Secondary School



5. *Number of reports received back from Universities/Examination Boards after Verification.*
6. *Details of fake Degrees/fake persons, if any, found after verification, specifying the Number of Advocates found to have fake degrees, fake qualifications, or any other impediment under the Rules.*

The Hon'ble High-Powered Committee of Bar Council of India has also directed to sought information from all the State Bar Council/s for development of Enterprise Solution for Online Enrolment and Simultaneous Verification Software.

This software development is a pivotal step towards the digital transformation of the Fresh Enrolment and possible Simultaneous Certificate Verification Process, all of which shall fall under the overarching purview of the Bar Council of India.

This shall undoubtedly streamline and modernize the essential legal processes. The will enhance efficiency, transparency and accessibility within the legal domain.

We request the State Bar to share the following details which are significant in molding the development of a resilient and versatile software solution.

They are indispensable for the development of this software solution. Your cooperation in providing these specifics is greatly appreciated. This is crucial in advancing the groundbreaking initiative and grasping the full scope of software. These proposals aim to guide the development of the software and ensure its successful implementation. Your cooperation and timely provision of these essential specifics are vital in driving this transformative initiative forward.

### **Comprehensive Assessment of Software Development Factors for Advocate Certificate/Degree Verification Process**

#### **I. Seeking State Bar Councils' (SBCs) data to understand the current process of fresh enrolment**

1. Total number of Enrollment/Oath days along with enrolled advocates count for the past 5 years (format attached)

**(This will provide ample information to assess the enrollment ratio of each SBC in the recent past and to fortify the software development.)**

2. Total number of Application Verifying Officials involved in the enrolment application verification process

**(Point No. 3 to 6: This information is of paramount importance in facilitating a thorough analysis of the existing resources and capabilities at SBCs' disposal. Such insight can prove invaluable as we embark on the development of a robust digital solution tailored to specific needs and capacities**

3. Total number of original Certificate Verification Counters, especially in cases where original certificates are not submitted along with the enrollment form. When the enrollment process is conducted online, original degrees/certificates are verified physically separately.
4. Total number of Officials Present on Enrolment Day/Oath Day
5. It is of great importance to obtain a clear understanding of whether the digitization of the Enrolment Day or Oath Day process is essential. The integration of this significant event within the enrollment process is indispensable as it is inextricably linked. Your guidance in this matter is pivotal as it can ensure that the software we develop is in perfect alignment with our long-term objectives and aspirations, thereby guaranteeing the comprehensiveness and effectiveness of the entire enrollment process

6. Total number of officials involved in the generation/printing of Enrolment Certificates, Printing of ID Cards and Dispatch
7. Number of Dedicated Staff Members to the Enrolment Section
8. Time taken by SBCs for the completion of enrolment process (starting from the submission of the enrolment form, verification of the enrolment form by the concerned staff, followed by the decision taken by the enrolment committee after interviewing the candidate and finally the issuance of the enrolment certificate and enrolment ID card.)

**(For a comprehensive understanding, effective planning and estimating the current timeline needed for SBCs to complete the enrollment process through the existing mode. This can enable us to accurately assess the present status and identify the potential bottlenecks in the enrollment process. This, in turn, shall aid in the development of a refined and efficient digital solution to streamline the enrollment process).**

9. Existing mode of Degree Certificates/Mark Sheets verification available at the State Bar Councils (Mark the respective suitable option below)

Mode of Certificate Verification	10th	12th / PUC	Diploma Certificates	Graduation Certificates	Law Degree Certificate	Address Verification	Criminal Antecedents Verification
Offline (via postal)	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N
Online Verification System (By providing Login credentials to the verifying Authorities of Universities and Police Department)	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N
Via Email	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N
Internal Verification by the SBCs (By getting Login Credentials to access the School Boards' Data resources if available)	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N
Total Number of Certificates Verified in the Last Year i.e 2022							

10. Is there any existing online software/website used for enrolment?
  - a. If yes, specify the online website application's URL.
  - b. Availability of any other mobile app/desktop app.
11. Total number of desktops available
12. Total number of laptops available
13. Internet connection available or not

(Include all the connection details If more than one). If so, specify the download and upload internet speed

Speed Testing Portal	Download Speed (in Mbps)	Upload Speed (in Mbps)
<a href="https://www.speedtest.net">https://www.speedtest.net</a>		
<a href="https://www.speedcheck.org/">https://www.speedcheck.org/</a>		



14. Payment breakups involved in the enrolment fee

For example, Enrolment fee for General, Enrolment fee for SC / ST, AWF Fee, Respective State Bar Council Welfare Fund Fee and Any other Fee

**(This will provide us with crucial insights into the allocation of enrollment fees and their utilization in supporting various welfare schemes initiated by SBCs. This, in turn, shall empower us to design an efficient software solution that aligns with the specific needs and objectives of National Data Grid software)**

S. No.	Enrolment Fee Break up	General (In rupees)	SC/ST (In rupees)	Any other details
1	Enrolment Fee			
2	BCI's AWF			
3	Respective SBC's Welfare Fund			
4				
5				
6				
7				
8				
	<b>Total</b>			

15. Total number of payment bank accounts involved in the enrollment registration process

a. Do multiple payment bank accounts involve in the enrollment registration process?

**(This information is being collected with a specific purpose in mind - to establish a well-structured mechanism for the direct channeling of enrollment fees into designated State Bar Council bank accounts as SBCs funneling these fees to fund a variety of vital welfare schemes. The payment protocol, which we would design, includes a meticulous breakdown of the fee amounts. This segmentation is intended to guarantee utmost precision and transparency in all financial transactions, reinforcing our commitment to fiscal responsibility and accountability.)**

b. Is refund applicable for the enrollment fee? **(To ascertain the circumstances in which the refund of enrollment fees is applicable, especially in cases of system errors, accidental duplicate payments, manual errors and other similar situations.)**

16. Refund Policy Details, if any.

17. State Bar Council Details

- a. State Bar Council (Full Name)
- b. State Bar Council (Short Form)
- c. State Bar Council's BCI Code
- d. State Bar Council's official Website URL  
(if more than one specify that as well)
- e. Primary Communication Email ID and Contact Number (Mobile & Landline Numbers)
- f. Public Contact Numbers

*Handwritten mark*



- g. State Bar Council Address
- h. Share the following sample colored certificates (High Quality as PNG Format)
  - i. Temporary Enrolment Certificate
  - ii. Temporary ID Card
  - iii. Permanent Enrolment Certificate
  - iv. Permanent ID Card
- i. State Bar Council's Logo (High quality - transparent PNG format, preferably SVG vector format)
- j. Signing Authority Details with Signature **(Obtained to compile enrolment certificate)**

S. No.	Signing Authority Name	Designation	Signature (As PNG, should be transparent)
1			
2			
3			
4			
5			

- k. Share the list of districts that fall under the respective State Bar Council **(To efficiently categorize applications based on districts and to provide data analytics any time)**

- 18. Average time duration taken to complete the verification of enrollment application
- 19. Average time duration taken to complete the Educational Certificates verification
- 20. To introduce a standardized data collection process from SBCs, we propose to consider exploring the use of online forms as a means to collect this information. This approach would guarantee that data from all SBCs is presented in a unified format, simplifying the consolidation process.

**Total number of enrollment days along with enrolled advocates count**

**Year: 2023**

S. No.	Enrolment Date	Total
1		
2		
3		
4		
<b>Total</b>		

**Year: 2022**

S. No.	Enrolment Date	Total
1		
2		
3		
4		
<b>Total</b>		

*Handwritten mark*

**Year: 2021**

S. No.	Enrolment Date	Total
1		
2		
3		
4		
<b>Total</b>		

**Year: 2020**

S. No.	Enrolment Date	Total
1		
2		
3		
4		
<b>Total</b>		

**Year: 2019**

S. No.	Enrolment Date	Total
1		
2		
3		
4		
<b>Total</b>		

**Year: 2018**

S. No.	Enrolment Date	Total
1		
2		
3		
4		
<b>Total</b>		

**II. Incorporation of existing advocates' details in the new system**

Integration of existing enrolled advocates into the new system can be done in the following ways (regardless of the completion status of educational verification by the SBCs):

- Instructing SBCs to migrate the data available with them to a dedicated portal. This demands a skilled workforce.
- Alternatively, this information can also be gathered directly from the candidates.

Applications		Total Count	Digitalized Data Count	Paper Based Data Count
<b>Enrolment Applications</b>	No. of Applications Received			
	No. of certificates verified			
	No. of certificates partially verified			



	No. of Applications whose verification not yet initiated			
<b>Certificate of Practice Applications</b>	No. of Applications Received			
	No. of certificates verified			
	No. of certificates partially verified			
	No. of Applications whose verification not yet initiated			
<b>Declaration Applications</b>	No. of Applications Received			
	No. of certificates verified			
	No. of certificates partially verified			
	No. of Applications whose verification not yet initiated			
<b>Total No. of Temporary / Provisional Certificates Issued</b>				
<b>Total No. Permanent Certificates Issued</b>				
<b>Total No. Senior Advocates</b>				
<b>Total No. of Provisional ID Cards issued (Year 2022)</b>				
<b>Total No. of Permanent ID Cards issued (Year 2022)</b>				
<b>Total No. of Duplicate Permanent ID Cards Issued (Year 2022)</b>				

**III. Consideration on Unified Enrollment Certificate Format and Issuing e-certificate or physical certificate.**

- The certificate is proposed to have a common format but with the dynamic inclusion of each Council's logo and the respective State Bar Council authorities' signatures. This dynamic placement ensures uniformity and prevents variations in the appearance of certificates from different State Bar Councils.
- In essence, the overall structure of the certificate remains consistent but the specific elements, such as logos and signatures, shall be adjusted according to the identity of each Council. Furthermore, the establishment of this uniformity serves as the bedrock for ensuring the enduring authentication of enrollment certificates whenever the need for verification arises in the future. This standardization secures a reliable and consistent process, thus reinforcing the trust and credibility of these certificates in the long term.
- E-certificates or solely physical certificates maybe considered to be issued too. This decision uniformly taken either of e-certificates or physical certificates or both will significantly impact the direction of our certification process and its efficiency. It is imperative to arrive at a clear choice in this matter to ensure the most effective and streamlined certification approach.
- **Kindly Furnish Your Opinions-**

**IV. Law and Non Law) / School Education Boards in online certificate verification**

- The proposed new software introduces a robust Online Certificate Verification System, operating seamlessly across various dimensions. The success of this system fundamentally relies on the exchange of login credentials. We are tasked with the responsibility of providing login credentials to the verifying universities, while securing the necessary login credentials from them. This two-way access is of utmost importance as it enables independent online verification of educational backgrounds by SBCs.
- To facilitate this crucial exchange, we kindly request that all SBCs take a proactive role in acquiring the login credentials needed from their respective **School Education Boards** and diligently procure detailed information concerning the relevant verifying authorities within the **Universities**.

**V. Information on whether Police Verification of the Applicants are done by STBC or not**

- **We seek information on the inclusion or exclusion of police verification information conducted by the State Bar Councils (SBCs).** This information is crucial to proceed with the development of the verification process while ensuring full compliance with all relevant regulations and requirements. Your timely response is highly valuable to the project's success.

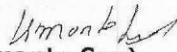
We eagerly anticipate the prompt receipt of the aforementioned requested information within a period of 15 days from the date of receipt of this letter. These crucial pieces of information shall empower us immensely, allowing us to successfully complete the initial prerequisites, including database management, product design and development. With this foundation, we can proceed effectively with the project, ensuring its success and efficiency. Your cooperation in this matter is greatly appreciated and essential to our project's progress.

You are kindly requested to place this letter before the Hon'ble Chairman with a request to take personal interest in the matter as per the request of the Committee.

We are further addressing another letter addressed to the Hon'ble Chairman of the State Bar Council/s along with addressing it to the Hon'ble Secretaries wherein as per the direction of the esteemed and Hon'ble High-Powered Committee, we shall be attaching all the minutes of the High Powered Committee along with the copy of this letter making a specific request to the Hon'ble Chairman to personally supervise the entire process.

Thanking you,

Yours sincerely,

  
(Srimanto Sen)  
Secretary  
Bar Council of India

**Forwarding of Minutes/Resolutions of the Meeting of the "High Powered Committee of Bar Council of India for verification of certificate" constituted by Hon'ble Supreme Court of India (on the request of Bar Council of India) vide its Order dated 10.04.2023 in Writ Petition (Civil) No.82/2023 titled as Ajay Shankar Srivastava Vs. Bar Council of India & Anr. to monitor the process of verification of genuineness and validity of degrees/certificates of Advocates enrolled with the State Bar Councils.**

1 message

Bar Council of India <bciinfo21@gmail.com>  
Bcc: barcouncilmahgoa@gmail.com

Sat, Oct 21, 2023 at 4:46 PM

BCI:D:6163/2023

Date: 20.10.2023

To,

1. Hon'ble Chairman,  
All the State Bar Council/s

The Secretary/ies,  
All the State Bar Council/s.

Sub.: Forwarding of Minutes/Resolutions of the Meeting of the "High Powered Committee of Bar Council of India for verification of certificate" constituted by Hon'ble Supreme Court of India (on the request of Bar Council of India) vide its Order dated 10.04.2023 in Writ Petition (Civil) No.82/2023 titled as Ajay Shankar Srivastava Vs. Bar Council of India & Anr. to monitor the process of verification of genuineness and validity of degrees/certificates of Advocates enrolled with the State Bar Councils.

Sir(s)/Ma'am(s),

As per the direction of Hon'ble High Powered Committee of Bar Council of India for verification of certificate dated 08.10.2023, please find attached herewith all Minutes of the Meeting of the esteemed High-Powered Committee.

Please also find attached herewith the letter dated 20.10.2023 bearing No.BCI:D:6162/2023 sent to the Secretary of State Bar Council/s seeking Correct and Up-to-date Information/data relating to verification of genuineness and validity of Degrees/Certificates of Advocates to be placed before the High-Powered Verification Committee by/on/before 5 PM of 15.01.2024 and Direction of Hon'ble High-Powered Committee to provide information for Comprehensive Assessment of Software Development Factors for Advocate Certificate/Degree Verification Process for development of Enterprise Solution for Online Enrolment and Simultaneous Verification Software for necessary action.



The relevant extract of the Minutes dated 08.10.2023 of the esteemed High-Powered Committee for Verification of Certificates relating to the request made by the above referred committee to the Hon'ble Chairman, State Bar Council/s is quoted herein below: -

*The Committee also finds that in some States the process of verifications of the forms submitted is either complete, for example in Himachal Pradesh, or the process of verification is almost complete. But, even then, a number of Advocates on the rolls have not applied for verification. Just to take the example of Himachal Pradesh itself, there are 11,869 Advocates who are on the rolls of the State Bar Council, but, only 6,665 have applied for verification.*

*As far as the entire country is concerned, the data in hand shows there are 21,82,011 Advocates enrolled and only 8,76,154 have applied for verification.*

*This means, only 41.48% advocates on the rolls have applied for verification and the majority of the enrolled advocates have not applied for verification. The committee is of the view that some action will have to be taken to ensure that all enrolled Advocates apply for verification, failing which the Committee may take appropriate action, including taking away the right to practice, to ensure that the verification process is not brought to a halt.*

*It is heartening to note that verification process has gained momentum after this Committee started monitoring the same. However, without naming any Bar Council we are constrained to observe that in some States the speed is not as quick as expected.*

*We, therefore, request the Secretary of the Committee to send a communication in this regard addressed to the Chairman and Secretaries of all the State Bar Councils along with copies of all the resolutions passed by this Committee till date.*

*We request the Chairman of the Bar Councils to take personal interest in the matter and to ensure that the Bar Councils themselves also monitor the process of verification on a monthly basis and ensure that at least 10,000 to 20,000 certificates are verified each month till the next date and the Chairman of the State Bar Councils shall ensure that the Secretary of the State Bar Council/s send a report to the Bar Council of India of the progress made by 31.12.2023 and the report in this regard is submitted to the Bar Council of India on or before 15.01.2024.*

This is for your kind information and necessary action.

Thanking you,

Yours sincerely,

(Srimanto Sen)  
Secretary



# भारतीय विधिज्ञ परिषद् BAR COUNCIL OF INDIA

(Statutory Body Constituted under the Advocates Act, 1961)

21, Rouse Avenue Institutional Area, Near Bal Bhawan, New Delhi - 110002

BCI:D:205/2024

Date: 14.01.2024

To,

The Secretary/ies,  
All the State Bar Council/s

**Sub.: Urgent Notice Regarding Advocates Declaration of Existence in Profession - Bar Council of India Certificate and place of Practise (Verification) Rules, 2015.**

Sir(s)/Ma'am(s),

In light of recent concerns/apprehensions surrounding misinformation and improper notifications, by State Bar Councils/Members of State Bar Councils/Advocates in their individual capacity, the Bar Council of India finds it imperative to issue this notice for clarity and caution.

Contrary to previous communications, if any, from State Bar Councils, etc. it is crucial to emphasize that Advocates, including those listed as voters in previous Bar Council Elections, must substantiate their existence in the legal profession during verification, either after five years or when submitting fresh verification forms.

This verification process necessitates the attachment of essential documents such as vakalatnama, order sheets, or proof of drafting/deeds in non-litigious work, etc. in accordance with the Bar Council of India Certificate and Place of Practice (Verification) Rules, 2015.

Incorrect declarations, if any, stemming from inaccurate information being provided to applicants must be promptly rectified.

We earnestly implore all concerned Advocates to meticulously review and rectify their submissions, aligning them with the established guidelines.

Furthermore, we request and direct the State Bar Council/s to reiterate this aspect promptly to all applicants.

**To ensure compliance with Form A Column III, Advocates are reminded to submit:**

1. Certified copies of at least 5 Vakalatnamas or any other document/cause list establishing five years of active practice.



2. For Advocates associated with law firms, a certificate from the authorized personnel of the firm detailing the period of service and nature of work.
3. For conveyancing lawyers, submission of five documents from the last three years supporting the claim of being a conveyancing practice lawyer.

In addition to these documents, Advocates are reminded to provide details and updates, if any, on educational qualifications, and disclose any filed/pending criminal cases.

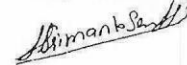
Your cooperation in promptly addressing any inaccuracies in your submissions are of utmost importance for the sanctity of the verification process being monitored by a High Level Committee constituted on the request of the Bar Council of India by the Hon'ble Supreme Court of India.

The High-Level Committee has decided to concentrate on verification from the 1990 enrolments onward, deferring verification of pre-1990 enrolments, if any, to a later stage.

We trust that each esteemed Advocate will take immediate steps to ensure compliance, upholding the integrity of the profession.

The Secretary/ies of State Bar Council/s are requested to circulate this among Advocates enrolled under their Bar Council/s and also ensure verification is carried out as per such procedure as is mentioned above and as is stipulated in the Bar Council of India Certificate and Place of Practice (Verification) Rules, 2015.

Yours sincerely,



(Srimanto Sen)  
Secretary  
Bar Council of India



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**Bar Council of  
Maharashtra & Goa  
PUBLIC NOTICE**

This is to inform all the Member Advocates of the Bar Council of Maharashtra & Goa that, the Hon'ble Supreme Court, vide order dated 10th April 2023 passed in Civil Writ Petition No.82 of 2023, (in the matter of Ajay Srivastav v/s. Bar Council of India), has issued directions for scrutiny and verification of the Degree Certificates of the Advocates, as provided under Bar Council of India Certificate of Practice Rules, 2015. Accordingly, Bar Council of India, vide its letter dated 27th July 2023, has given directions to verify the authenticity of Sanad and also Degree Certificate of the Advocates across all the States.

In view thereof, all the Advocates Members in the Maharashtra and Goa as also in the Union Territories of Diu, Daman, Dadra - Nagar Haveli, are hereby informed that, the Advocates, who have completed five years or more than five years of practice as on 30th January 2024 (End of the Day), shall download "Verification /Scrutiny Form" available on the official website of the Bar Council of Maharashtra & Goa ([www.barcouncilmahgoa.org](http://www.barcouncilmahgoa.org)) and submit the same duly filled-in, attaching therewith true copies of S.S.C. Mark Sheet / Board Certificate, H.S.C Degree, Post Graduate (LL.B.) Degree Certificate or Final Year Mark Sheet and Sanad as Practising Advocate, to the Local Bar Association, along with Demand Draft of Rs.500/- in the name of "Bar Council of Maharashtra & Goa", within a period of one month from the date of publication of this notice. Thereafter, Local Bar Associations shall submit the Verification / Scrutiny Forms so received by them to the concerned divisional office of the Bar Council such as Nagpur, Aurangabad, Mumbai and Goa.

The Advocate Members, whose practice is below five years, need not submit Verification Form; however, they shall file a "Declaration" to that effect on a A4 paper and submit the same to the Local Bar Association along with Demand Draft of Rs.100/- in the name of "Bar Council of Maharashtra & Goa", annexing therewith true copy of the Identity Card issued by the Bar Council of Maharashtra & Goa and AIBE Passing Certificate / Mark Sheet, which is mandatory. Declaration / Scrutiny Form so received by the Local Bar Associations shall be submitted to the Regional Office of Bar Council of Maharashtra and Goa to the concerned divisional office of the Bar Council such as Nagpur, Aurangabad, Mumbai and Goa. Degree Certificates and other related documents will be scrutinized through the concerned Institution / University and thereafter, upon having verified the authenticity of the certificates, such Advocate Members would be granted Certificate of Practice and new Identity Card for a period of five years. Accordingly, the Advocates having such Certificate of Practice and Identity Card would only be allowed to practice in various courts. In case there is any doubt/query about it, the concerned may contact the office of the Bar Council on Landline No.022-69381033 and 69381037. Further information in relation thereto will be made available on the official website of the Bar Council of Maharashtra & Goa and the same shall be downloaded.

**Note:** The procedure implemented for verification earlier has been rendered infructuous in view of the new directions of the Hon'ble Supreme Court.

To ensure compliance with Form A Column III, Advocates are reminded to submit:

1. Certified copies of at least 5 Vakalatnamas or any other document/case list establishing five years of active practice.
2. For Advocates associated with law firms, a certificate from the authorized personnel of the firm detailing the period of service and nature of work.
3. For conveyancing lawyers, submission of five documents from the last three years supporting the claim of being a conveyancing practice lawyer.

In addition to these documents, Advocates are reminded to provide details and updates, if any, on educational qualifications, and disclose any filed/pending criminal cases.

**Pravin Y. Ranpise**  
Secretary  
Bar Council of Maharashtra and Goa  
Place: Mumbai Date:02/02/2024

**PUBLIC NOTICE**

NOTICE is hereby given to the public that we are investigating (i) the title of **Palmera Co-operative Housing Society Limited**, a society registered under the provisions of the Maharashtra Co-operative Societies Act 1960, under Serial No. BOM/HSG/3059 of 1971 on 4th August 1971, having its registered address at Plot bearing C. S. No. 352 of Malabar Hill Division, 16 Narayan Dabholkar Road, Walkeshwar, Mumbai 400006 ("Society") to the property more particularly described in the **First Schedule** hereunder written ("**Property**") and (ii) the rights of the members of the Society in relation to the respective flats owned by them situated in the Property, in connection with the grant of development rights in respect of the Property to our client. There is a residential building on a portion of the Property known as "Pleasant Palace" ("**Building**") and the aforesaid flats are located in the Building.

There is a temple ("**Temple**") situated on a portion of the Property. The Temple does not form part of this public notice and/or the proposed transaction.

WE have been informed that the Society has lost/ misplaced the original title documents in respect of the Property as more particularly described in the **Second Schedule** hereunder written ("**Original Title Documents**") and the same are not traceable.

ANY and all persons having any right, title, interest, share, benefit, claim, demand or dispute whatsoever in respect of the Property (including the flats and the Building) and/or any part or portion thereof including by way of acquisition, appointment, assignment, attachment, authority, award, beneficial right/ life or other interest, bequest, charge, conveyance, decree, demise, disposition, easement, encumbrance, exchange, family or any other arrangement/ compromise/settlement, gift, grant, guarantee, hypothecation, inheritance, injunction, joint venture, lease/ sub-lease, license, lien, lis pendens, loans, maintenance, mortgage (equitable or otherwise), negative or other covenant, occupation, order passed by any Court of Law, Tribunal, Revenue or Statutory Authority or Arbitration, partition, partnership, pledge, possession, power of attorney, pre-emption, prescription, prohibition, requisition, sale, security interest, share, tenancy/ sub-tenancy, testamentary instrument, transfer or trust or under any agreement, collaboration or deed, document, understanding or writing (including relating to any development rights or utilization of development potential or consumption of floor space index) or by virtue of having custody or possession of the Original Title Documents for whatever reason or otherwise howsoever, are hereby requested to notify the same in writing to us with supporting documentary evidence at [veritaslegal.in](mailto:veritaslegal.in) and at the address mentioned hereinbelow within **14 (fourteen) days** from the date hereof failing which, the claim or claims, if any, of such person or persons will be considered to have been waived and/or abandoned for all intents and purposes and not binding in any manner whatsoever.

**FURTHER**, if any person/s have found the Original Title Documents, they are requested to make the same known to us and handover the Original Title Documents at the address mentioned hereinbelow.

**FIRST SCHEDULE REFERRED TO HEREINABOVE**  
(Description of Property)  
All that piece and parcel of leasehold land admeasuring approximately 5,890.63 square metres or thereabouts as per title documents and 6,079.50 square metres as per property register card and bearing Cadastral Survey No. 352 of Malabar Cumbala Hill Division, situate lying and being at 16 Narayan Dabholkar Road, Walkeshwar, Mumbai 400006 together with the residential building known as "Pleasant Palace" consisting of ground plus 16 (sixteen) floors and having 48 (forty eight) flats having aggregate carpet area of 73,904.02 square feet and bounded as follows that is to say:

On or towards the North : by land bearing Cadastral Survey No. 353 of Malabar Cumbala Hill Division

On or towards the South : by land bearing Cadastral Survey No. 351 of Malabar Cumbala Hill Division

On or towards the East : by Narayan Dabholkar Road

On or towards the West : by Dr. Bhagwanlal Indrajai Road

**SECOND SCHEDULE REFERRED TO HEREINABOVE**  
(Original Title Documents)

1. Indenture dated 6th October 1919 registered with the Office of the Sub-Registrar of Assurances at Serial Nos. 743 and 744 of 1919 executed by and between the Secretary of State for India in Council of the One Part and Mahomedbhoy Ibrahimbhoy Rowjee of the Other Part; and
2. Indenture dated 9th October 1971 registered with the Office of the Sub-Registrar of Assurances under Serial No. BOM-3228 of 1971 executed by and between Dr. Ibrahim Mahomedbhoy Rawjee and Mahomedbhoy Alibhoy Bhanji of the First Part, Dr. Ibrahim Mahomedbhoy Rawjee and Ahmed Mahomedbhoy Rawjee of the Second Part, Shantilal Chunilal Kapasi and Popatlal Bhikchand Shah of the Third Part and Palmera Co-operative Housing Society Limited of the Fourth Part.

Date: 02.02.2024

For Veritas Legal  
Advocates and Solicitors  
Sd/-  
Vineet Nalawalla  
Partner  
objections@veritaslegal.in  
Forbes Building, 1st Floor  
Charanjit Rai Marg  
Fort, Mumbai 400001

# ईडी आणि ईओडब्ल्यू चौकशीचा ससेमिरा थांबवा

## महापालिका अभियंता संघटना हायकोर्टात

लोकमत न्यूज नेटवर्क  
मुंबई : कोरोना काळात झालेल्या व्यवहारांबाबत ईडी आणि आर्थिक गुन्हे शाखा (ईओडब्ल्यू) करत असलेली कारवाई बेकायदेशीर असून, त्यांना रोखण्यात यावे, अशी मागणी करणारी याचिका महापालिका अभियंता संघटनेने मुंबई उच्च न्यायालयात दाखल केली आहे.

कोरोना काळात बसवण्यात आलेले ऑक्सिजन प्लांट, औषधे खरेदी व्यवहारात अनियमितता झाल्याचा दावा करत ईओडब्ल्यू व ईडीने महापालिकेच्या अभियंत्यांमागे चौकशीचा ससेमिरा लावला आहे, तर सुजित पाटकर, सूरज चव्हाण यांना अटकही केली आहे. माजी महापौर किशोरी पेडणेकर यांची चौकशी करण्यात येत आहे. या पार्श्वभूमीवर अभियंत्यांच्या संघटनेने चौकशीचा ससेमिरा चुकविण्यासाठी उच्च न्यायालयात याचिका दाखल केली.

■ आपत्कालीन व्यवस्थापन कायदा २००५ व महामारी कायदा १८५० अंतर्गत कोरोना काळात निर्णय घेण्यात आले. घाईत केलेल्या व्यवहारांत तपासयंत्रणांनी अनियमितता दाखवून कारवाई करू नये, दोन्ही कायदांचे संरक्षण असतानाही तपास यंत्रणा बेकायदेशीरपणे कारवाई करत आहे. मुळात महापालिका स्वायत्त संस्था आहे. त्यामुळे या दोन्ही तपास यंत्रणांना थेट कारवाई करण्याचे अधिकार नाहीत, असे याचिकेत म्हटले आहे.

■ कारवाई करण्यापूर्वी महापालिकेने आधी संपूर्ण प्रकरणाची चौकशी करून तसा निष्कर्ष काढावा आणि मगच तपास यंत्रणेने पुढील पाऊल उचलावे, अशी मागणी संघटनेने केली आहे. याचिका प्रलंबित असेपर्यंत संघटनेच्या एकाही सदस्याला पोलिस चौकशीसाठी न बोलावण्याचे आदेश द्यावेत, अशी अंतरिम मागणी संघटनेने केली आहे.

## सायकलिंगसाठी मुंबईत आला, हॉटेलात वृद्धाने विनयभंग केला

लोकमत न्यूज नेटवर्क  
मुंबई : मुंबई ते गोवा सायकलिंग मोहिमेसाठी पुण्याहून मुंबईत आलेल्या १६ वर्षीय मुलासोबत रूम शेअरिंगमध्ये राहणाऱ्या वृद्धानेच लैंगिक अत्याचाराचा प्रयत्न केल्याची धक्कादायक घटना मुंबईच्या एका नामांकित हॉटेलमध्ये घडली. याप्रकरणी कुलाबा पोलिसांनी ६५ वर्षीय आरोपीला बुधवारी अटक केली.

मूळचा पुण्याचा असलेला १६ वर्षीय मुलगा सायकलिंग मोहिमेसाठी ११ जणांसोबत २० जानेवारी रोजी मुंबईत आला. कुलाबा येथील एका नामांकित हॉटेलमध्ये सर्ताना रूम शेअरिंगमध्ये ठेवण्यात आले होते. मुलासोबत ६५ वर्षीय वृद्ध होता. रात्री आरोपीने मुलासोबत लैंगिक अत्याचाराचा प्रयत्न केला. मुलाने घडलेला प्रकार प्रशिक्षकाला सांगताच त्याची खोली बदलण्यात आली. मुलाच्या वडिलांना याबाबत समजताच त्यांनाही धक्का बसला. मुलगा ८ दिवसांची मोहीम पूर्ण करत गोव्याला पोहोचताच तेथील पोलिसांत तक्रार दिली. त्यानुसार, गोवा पोलिसांनी गुन्हा नोंदवत हा गुन्हा पुढील तपासासाठी कुलाबा पोलिसांकडे वर्ग केला.

## बार कौन्सिल ऑफ महाराष्ट्र आणि गोवा

### जाहीर सूचना

महाराष्ट्र आणि गोवा बार कौन्सिलच्या सर्व नोंदणीकृत वकिलांना सूचित करण्यात येते की, मा. सर्वोच्च न्यायालयाने (दिवाणी रिट याचीका क्रमांक ८२/२०२३ अजय श्रीवास्तव विरुद्ध बार कौन्सिल ऑफ इंडिया) दिनांक १०/०४/२०२३ रोजी बार कौन्सिल ऑफ इंडिया सर्टिफिकेट ऑफ प्रॅक्टिस नियम २०१५ च्या अंतर्गत वकीलांच्या पदवी प्रमाणपत्राची तपासणी/छाननी करण्याचे आदेश दिलेला आहे. त्या अनुषंगाने दिनांक २७/०७/२०२३ च्या पत्राच्ये बार कौन्सिल ऑफ इंडिया यांनी सर्व राज्यातील सर्व वकीलांची सनद तसेच पदवी प्रमाणपत्राची सत्यता पडताळून पाहण्याचा आदेश दिलेला आहे.

त्या अन्वये महाराष्ट्र व गोवा, राज्यातील तसेच दिव, दमण, दादरा नागर हवेली या केंद्रशासित प्रदेशातील सर्व वकील सभासदांना सूचित करण्यात येते की, आजमितीस (दि ३०/०१/२०२४ अखेर) ज्या वकीलांची प्रॅक्टिस ५ वर्षा किंवा ५ वर्षा पेक्षा जास्त झालेली आहे त्या सर्व वकीलांनी बार कौन्सिलच्या संकेत स्थळावर

([www.barcouncilmahgoa.org](http://www.barcouncilmahgoa.org)) उपलब्ध असलेले व्हॅरिफिकेशन / छाननी फॉर्म डाऊनलोड करून तो भरून त्यासोबत एस.एस.सी. मार्कशिट/बोर्ड सर्टिफिकेट,

एच.एस.सी., पदवी व पदव्युत्तर (एल.एल.बी) पदवी प्रमाणपत्र किंवा अंतीम वर्षाची मार्कशिट आणि वकीलांची घेतलेली सनद व खातील परिच्छेद ३, २, ३ नुसार कागदपत्र जोडून स्थानिक बार असोसिएशनला रु. ५००/- च्या डी.डी. (बार कौन्सिल ऑफ महाराष्ट्र व गोवा) सह ही नोंदीस प्रेषित झाल्यावरून १ महिन्यांच्या आत जमा करावी व स्थानिक बार असोसिएशनने जमा झालेले फॉर्म त्या त्या विभागातील बार कौन्सिलच्या कार्यालयात जसे की, नागपूर, औरंगाबाद, मुंबई व गोवा मध्ये जमा करावे. ५ वर्षांच्या आतील प्रॅक्टिस असलेल्या वकील सभासदांनी व्हॅरिफिकेशन फॉर्म भरण्याची गरज नाही, परंतु त्यांनी त्याबाबतचे घोषणापत्र A 4 पेपरवर बार कौन्सिल ऑफ महाराष्ट्र व गोवाचे नावाने रु. १००/- डी.डी. सह स्थानिक बार असोसिएशनला जमा करावी.

त्यासोबत बार कौन्सिल ऑफ महाराष्ट्र आणि गोवाचे ओळखपत्राची सत्यता, AIBE पॉसिंग सर्टिफिकेट / मार्कशिट जोडणे आवश्यक आहे. स्थानिक बार असोसिएशनने जमा झालेले घोषणापत्र त्या त्या विभागातील बार कौन्सिलच्या कार्यालयात जसे की, नागपूर, औरंगाबाद, मुंबई व गोवा मध्ये जमा करावे.

वकील सभासदांची पदवी प्रमाणपत्र व इतर संबंधित प्रमाणपत्र त्या त्या संबंधित संस्था/विद्यापीठाकडून छाननी केली जाईल व त्यानंतर प्रमाणपत्राची सत्यता पडताळणी झालेली असेल त्या वकील सभासदांना ५ वर्षे कालावधी करता Certificate of Practice तसेच नविन ओळखपत्र देण्यात येईल, सदर प्रमाणे Certificate of Practice व ओळखपत्र मिळालेल्या वकीलांनाच विविध न्यायालयात प्रॅक्टिस करता येईल. याबाबत काही शंका असल्यास बार कौन्सिलच्या दूरध्वनी क्रमांक ०२२-६९३८१०३३ व ६९३८१०३७ यावर संपर्क साधावा. याबाबतची पुढील माहिती वेळोवेळी बार कौन्सिलच्या संकेत स्थळावर उपलब्ध केली जाईल.

टिप-यापूर्वी व्हॅरिफिकेशन बाबत राबवलेली प्रक्रिया ना. सुप्रिम कोर्टाचे नवीन आदेशामुळे निष्पन्न झाली आहे. फॉर्म A स्तंभ III चे पालन सुनिश्चित करण्यासाठी वकिलांना खालील दस्तऐवज सादर करावयाचे आहेत.

१. कमीत कमी ५ वकालतनाम्याच्या प्रमाणित प्रती किंवा इतर कोणत्याही दस्तऐवज/कारणे सूची पाच वर्षांचा सक्रिय सराव स्थापित करणे.
२. कायदेशिर संस्थांशी (Law Firm) संबंधित वकिलांसाठी सेवेचा कालावधीसाठी आणि कामाचे स्वरूप तपशीलवार फर्मच्या अधिकृत कर्मचा-याचे प्रमाणपत्र लावणे.
३. कन्व्हेंन्सिंग वकील व्यवसाय करित असलेल्या वकीलांना व्यवसाय करत असल्याबाबत मागील ३ वर्षातील ५ दस्तऐवज सादर करावयाचे आहे.

वरील दस्तऐवजा व्यतिरिक्त ज्या वकीलांनी सनद प्राप्त करतांना त्यांची असलेली शैक्षणिक पात्रते संदर्भातील तपशिल आणि सनद प्राप्त केल्या नंतर जर वाढीव शैक्षणिक अर्हात धारण केली असेल त्याबाबतचा तपशिल कागदपत्रासह तसेच त्यांच्या विरुद्ध कुठलाही गुन्हा किंवा फौजदारी प्रकरण दाखल असल्यास किंवा निकाली निघालेले असल्यास त्याबाबत सविस्तर तपशिल देणे आवश्यक आहे.

प्रविण या. रणपिसे  
सचिव

बार कौन्सिल ऑफ महाराष्ट्र आणि गोवा  
मुंबई तारीख : ०२/०२/२०२४

## T ASSOCIATION

Road, Churchgate, Mumbai 400026

### NOTICE

Invited from reputed Civil and Refurbishment of President works at Wankhede Stadium for Churchgate, Mumbai". The blank and tender conditions may be of Mumbai Cricket Association:

Jinky Naik Secretary  
Deepak Patil Jt. Secretary



## ट्रल डेस्क पाहिजेत

### : जागा १

म करण्याचा किंमत ५ वर्षांचा वा अनुभव आवश्यक  
वर प्रभुत्व, भाषांतर कौशल्य  
नवमाध्यमांची उत्तम जाण  
गोडीची जाण  
वा  
ण्याचे कौशल्य  
माजिक, सांस्कृतिक,  
माहिती आवश्यक

पुर्ण माहिती असलेले अर्ज पाच दिवसांच्या आत मेल करावेत.

त

thi Newspaper



E-mail : bciinfo21@gmail.com  
info@barcouncilofindia.org  
Website : www.barcouncilofindia.org



Tel. : (91) 011-4922 5000  
Fax : (91) 011-4922 5011

# भारतीय विधिज्ञ परिषद् BAR COUNCIL OF INDIA

(Statutory Body Constituted under the Advocates Act, 1961)

21, Rouse Avenue Institutional Area, New Delhi - 110002

**BCI-LE/138/2024(Circular-003)**

**06.02.2024**

To,

Vice Chancellor/s  
Registrar/s  
Authorized Personnel  
of  
All Universities Issuing Law Degrees

**Sub. : Urgent Compliance with Supreme Court Judgement dated April 10, 2023, passed in Writ Petition (Civil) No 82 of 2023, Ajay Shankar Srivastava vs. Bar Council of India & Anr., on Verification of Law Degree Certificates without charging any fee and without any undue delay.**

Sir/Ma'am,

I am writing to bring to your immediate attention a recent and crucial judgment by the Supreme Court of India that has significant implications for all Universities issuing Law degrees. The judgment, dated April 10, 2023, in Writ Petition (Civil) No 82 of 2023, Ajay Shankar Srivastava vs. Bar Council of India & Anr, mandates the following:

*"All Universities and Examination Boards shall verify the genuineness of the educational certificates without charging any fee for the purpose of verification. The requisitions made by the Bar Councils shall be carried out without undue delay, and the reports of the verification shall be submitted expeditiously."*

This directive reaffirms a prior order from March 1, 2017, where a two-Judge Bench of the Supreme Court, in Transferred Case (Civil) 126 of 2015, directed all Universities not to demand charges for the verification of educational certificates.

The Supreme Court's directive emphasizes the necessity for all Universities issuing Law degrees to verify educational certificates promptly and without any associated fees.

Kindly, ensure that the verification of educational certificates is conducted promptly and without any charges.

Kindly coordinate with relevant departments to carry out requisitions from the Bar Councils without undue delay.

Furthermore, kindly submit the reports of verification expeditiously to comply with the Supreme Court's orders.

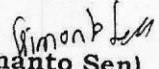
We value importance of your role in maintaining the high standards of education and professionalism.

Compliance with these directives is crucial for upholding the integrity and credibility of educational qualifications within the legal profession.

Non-compliance with the Supreme Court's orders may have severe consequences, including contempt of court action. It is imperative for your University to adhere strictly to these directives to avoid any adverse outcomes.

**Please find attached a copy of the afore-referred judgement of the Supreme Court dated April 10, 2023, passed in Writ Petition (Civil) No 82 of 2023, Ajay Shankar Srivastava vs. Bar Council of India & Anr, for your reference and immediate action.**

Thank you for your immediate cooperation in this matter.

  
(Srimanto Sen)  
Secretary  
Bar Council of India





# Bar Council of Maharashtra & Goa

2nd Floor, High Court Extension, Fort, Mumbai - 400 032. ☎ : 022-2265 6567  
Website : [www.barcouncilmahgoa.org](http://www.barcouncilmahgoa.org) • Email : [barcouncilmahgoa@gmail.com](mailto:barcouncilmahgoa@gmail.com)

## NOTICE REGARDING SANAD VERIFICATION PROCESS

[Bar Council of India Certificate and Place of Practice (Verification) Rules, 2015]

To all the lawyer brothers and sisters,

I extend my warm greetings to all esteemed members of our legal fraternity.

It has come to our attention that there has been some confusion and concern regarding the ongoing Sanad verification process mandated by the Hon'ble Supreme Court. It is imperative that we address these concerns promptly and provide clarity in the matter.

As per the directions of the Honorable Supreme Court under the 2015 rules, the Bar Council was entrusted with the responsibility of conducting the Verification Process to ensure that individuals practicing as advocates possess the requisite Law Degree. However, in light of recent developments, particularly the petition no. 82 of 2023 *Ajay Shankar Shrivastava v/s Bar Council of India*, the Hon'ble Supreme Court has issued an order directing all Bar Councils across the nation to re-verify the credentials of lawyers in their respective states.

In compliance with the Hon'ble Supreme Court's order, a High-Powered Committee has been formed under the Chairmanship of Hon'ble Shri. Deepak Gupta, Retired Judge of the Supreme Court, along with other two retired Justice, two senior lawyers and three members of bar Council of India. It is essential to note that this verification process is now a legal obligation, and the Bar Council is merely acting as an implementing body under the directives of this Committee.

We understand that there have been concerns and grievances raised regarding this process, and we assure you that the Bar Council is actively addressing them. In response to concerns regarding the verification fee, it has been decided to offer an alternative provision. The verification fee for those opting for a Smart ID Card & COP along with the verification process remains Rs. 500. However, for those who choose not to avail themselves of this facility, the fee has been reduced to Rs. 200 for all lawyers with more than 5 years of practice (verification process fee Rs. 100, Regular ID card fee Rs. 100) and Rs. 100 for lawyers with less than 5 years of practice (verification process fee Rs. 0.00). This amendment has been made with a view to address the concerns raised by various bar associations.

1. The deadline for submitting applications for *Sanad* verification has been extended until 31/03/2024.



2. Those lawyers who had submitted applications for Sanad verification between 2015 and 2017 need to submit only the Form A along with a fee of Rs. 200 to the Bar Council.
3. The Lawyers who had previously submitted only Declaration Form between 2015 and 2017 are now required to submit regular applications for Sanad verification.
4. This Verification Process will not be applicable to Senior Advocates, AOR of Supreme Court and Advocates who have been enrolled prior to 1990 (i.e. till 31.12.1989).

In order to complete the Sanad verification process, the following documents must be submitted along with the application:

**1. Court Documents:**

- Certified copies of *Vakaltnamas* filed in the last 5 years in court proceedings OR *Roznamas of the Court* OR copies of court orders OR court cause lists OR certificates in the prescribed format issued by the District/ Tehsil/ High Court/ Bar Association.
- Those who do not possess any documents, they shall submit a self-affidavit stating the details of the cases conducted by them mentioning therein the Case number and the Court details of last 5 years.

**2. Certificate from Law Firm:**

- A certificate issued by an authorized person of the law firm in which the applicant is employed and certified by coordinator.

**3. Lawyers engaged in Registration work:**

- Affidavit along with copies of deeds registered through them OR public notices in newspapers OR title search reports in the last 5 years OR an affidavit from institution the advocate is associated with.

**4. Lawyers practicing Notary Public**

- Renewal Certificate

**5. Others**

- Lawyers working in fields such as taxation, etc. certificate from the Bar Association and an affidavit.

**6. Photographs:**

- Two passport size photographs, with one photo affixed to the application form.

**7. Academic Qualifications:**

- Bachelor of Laws degree or final year mark sheet.





# Bar Council of Maharashtra & Goa

2nd Floor, High Court Extension, Fort, Mumbai - 400 032. ☎ : 022-2265 6567  
Website : www.barcouncilmahgoa.org • Email : barcouncilmahgoa@gmail.com

## 8. Bar Council Documents:

- Sanad issued by the Bar Council or COP.

## 9. AIBE Certificate (if applicable).

## 10. Prescribed Fees:

- The prescribed fee for verification is Rs. 200 for lawyers above 5 years of practice and Rs. 100 for lawyers with less than 5 years of practice. The fee should be deposited by scanning the QR Code and attaching the receipt to the application form.

### All Forms to be submitted to the concerned Bar Association.

It is essential to emphasize the significance of complying with the directions of the High-Powered Committee and adhering to the Sanad verification process. Failure to do so may result in complications in the future regarding rights of practice of advocates.

We urge all members of the legal community to cooperate and facilitate the verification process to ensure its successful completion. Let us work together to uphold the integrity and credibility of our noble profession.

Thank you for your attention.

Your sincerely,

Adv. Rajendra B. Umap  
Vice-Chairman

Adv. Parijat M. Pande  
Chairman

Adv. Jayant D. Jaibhave  
Member-BCI

### MEMBERS

Adv. Motisingh G. Mohta  
Adv. Milind S. Thobde  
Adv. Annarao G. Patil  
Adv. Sudeep R. Pasbola  
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Adv. Satish A. Deshmukh  
Adv. Anil M. Gowardipe  
Adv. Vitthal B. Konde-Deshmukh  
Adv. Sangram D. Desai  
Adv. Avinash B. Avhad



# Bar Council of Maharashtra & Goa <sup>11</sup>

2nd Floor, High Court Extension, Fort, Mumbai - 400 032. ☎ : 022-6938 1033 / 6938 1037  
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*Pravin Y. Ranpise* B.Com., LL.B.

Secretary

Ref. No. BC/Gen/1792/2024

Date: 21/02/2024

To:

The Hon'ble President / Secretary,  
All Bar Associations in the States of  
Maharashtra and Goa & Dadra & Nagar Haveli, Daman & Diu

**Sub: Procedure to be adopted by the Bar Associations for  
collection of Verification / Declaration Forms**

Respected Sir / Madam,

As per the directions given by the Hon'ble Supreme Court of India in *Writ Petition (Civil) No.82 of 2023 in between Ajay Shankar Srivastava Vs. Bar Council of India & Anr.* and the High-Power Verification Committee constituted by Hon'ble Supreme Court of India it is a bounded duty casted upon the State Bar Councils to start Verification Process for verifying the Degree & Sanad of Lawyers practicing in the States of Maharashtra & Goa and Dadra & Nagar Haveli, Daman & Diu.

The Notification of Verification Process has already been displayed vide Public Notice as well as on Website of Bar Council of Maharashtra & Goa. An appeal has been made to all the Advocates to fill the Verification / Declaration Forms as per their category (years of practice) to submit their Forms in their respective Bar Associations.

You are hereby requested to collect the Verification / Declaration Forms from the Advocates who are the Members of your Bar Association. The last date for collection of the said Forms by Bar Association is 31/03/2024. **You are therefore requested to kindly ensure at your level that all the requisite documents required with Verification / Declaration Form are attached to the said Verification / Declaration Forms. Incomplete Verification / Declaration Forms shall not be accepted at your end.**

You are hereby further requested to send those collected Forms to the Regional Offices of Bar Council of Maharashtra & Goa as under :

Sr. No.	Region	Submission
1.	Vidharbha	Office of Bar Council of Mah. & Goa Nagpur
2.	Marathwada	Office of Bar Council of Mah. & Goa Aurangabad
3.	Goa	Office of Bar Council of Mah. & Goa Panjim, Goa
4.	Rest of Maharashtra Include Dadra & Nagar Haveli, Daman & Diu	Office of Bar Council of Mah. & Goa Mumbai

Kindly collect all the Applications and submit the same collectively at one time only to the aforesaid Regional Offices on or before 5<sup>th</sup> April, 2024. The travelling allowances will be given to the Bar Associations by the Bar Council as under :

- (a) Rs.15/- per KM for Car (for To & From) One time only.
- (b) Fare of A.C. – II Tier Train Ticket for two persons only.

This is for your information and necessary action.

Thanking you,

Yours faithfully,

  
SECRETARY

**PROFORMA (AFFIDAVIT ON PLAIN PAPER)**  
**FOR VERIFICATION PROCESS**

I \_\_\_\_\_ do hereby  
state on oath that :

I am a Practicing Advocate in the \_\_\_\_\_  
\_\_\_\_\_ Court at \_\_\_\_\_. I have  
handled following cases before following Courts as per details below :

Sr. No.	Case No.	Name of the Party	Filing Date	Name of the Court

The aforesaid information is true and correct as per best of my knowledge and belief. If the information is found incorrect, then I will be liable for the punishment as per law.

DEPONENT

PLACE:  
DATE :