

NOTICE

(Inviting applications for designation as Senior Advocate)

It is hereby notified that applications are invited for the designation as Senior Advocates as per the Punjab and Haryana High Court (Designation of Senior Advocates) Rules framed in pursuance to the guidelines given by the Hon'ble Supreme Court in Writ Petition(Civil) No. 454 of 2015 titled as Ms. Indira Jaising Vs. Supreme Court of India and others. The proforma-cum-consent and instructions for filling the proforma are attached herewith alongwith Rules contained in Volume V, Chapter 6, Part C of High Court Rules and Orders of Punjab and Haryana.

The application duly filled in the prescribed proforma-cum-consent may be submitted in the office of the Permanent Secretariat for Designation of Senior Advocate through Registrar (Rules) of this Court within a period of 21 days starting from 15.03.2019 to 04.04.2019 on all working days between the working hours. The application/prescribed proforma-cum-consent must be supported by the required documents as prescribed by the Rules. The requisite number of copies of proforma-cum-consent alongwith supported documents should be submitted in the sealed envelope mentioning thereon specifically on the top of the envelope **"The application-cum-consent for designation as Senior Advocate"**.

The advocates who had applied earlier may submit fresh application under the new Rules.

The application submitted after 05:00 PM on 04.04.2019 will not be accepted and considered for the ensuing process.

For further updates please visit the official website of this Court i.e. (www.highcourtchd.gov.in).

**Sd/-
Registrar (Rules)**

'PROFORMA'

**APPLICATION –CUM-CONSENT
FOR BEING DESIGNATED AS SENIOR ADVOCATE**

Recent Passport
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photograph to be
pasted here

1.		Name of the Applicant-Advocate: (Mr./Mrs./Ms.)	
2.		Father's Name	
3.		Date of Birth	
4.		Age (as on date of application)	____ Years
5.	Address in Full:	(i) Office Address: -	
		(ii) Residential Address: -	
6.	Contact Details:	(i) Landline No:-	
		(ii) Mobile No: -	
		(iii) Email and Social media accounts, if any	
7.		Standing as an Advocate (as on date of application).	
8.		Education / Professional Qualifications: (Mention award or prize, scholarship, fellowship or any other distinction.) *	
9.		Date of Enrolment as an Advocate and Enrolment No. *	
10.		Bar Council, where registered.	
11.		Whether Member of Punjab & Haryana High Court Bar Association or any District Courts Bar Association of Punjab, Haryana and U.T., Chandigarh. Specify year of membership.	
12.	Courts where practiced/practicing: (Court-wise period may be indicated) *	Courts	Duration
			From To

* Attach accompanying documents in support of details filled.

13.	Nature of practice – (✓ or X) *		Any other
	Civil Law		
	Criminal Law		
	Constitutional Law		
	Taxation Law		
	Labour Law		
	Company Law		
	Service Law		
14.	Field of law in which applicant has Specialization/ Expertise. (Special knowledge or experience in law) *		
15.	Number of Reported Judgments in which appeared and argued(List of citation to be provided). *		
16.	Number of Un-reported Judgments in which appeared and argued(List of cases with relevant particulars to be provided). *		
17.	Details of Pro bono work during last five years. *		
18.	Professional income during last 5 years duly certified by the Chartered Accountant. *		
19.	Whether held any position in Bar Council / Bar Association; if so, details thereof.		
20.	Whether delivered any lecture. If so, give details thereof. *		
21.	Whether the applicant has applied for designation as Senior Advocate before the Supreme Court of India or High Court or any other High Court, if so, detailed current status thereof may be indicated. *		
22.	Whether after attaining a degree of law employed at any time either on part-time or full-time basis. If so, give status, period and the reasons for leaving. *		
23.	Whether appointed as Receiver/Commissioner/Observer in any case. If so, give full particulars thereof. *		
24.	Whether any FIR has ever been filed against you; if so, detailed current status thereof may be indicated. *		
25.	Whether party to any civil, criminal or other litigation. If so, the nature of involvement. *		

* Attach accompanying documents in support of details filled.

26.	(i) (a) Have you ever been arrested? *	
	(b) Have you ever been prosecuted? *	
	(c) Have you ever been kept under detention? *	
	(d) Have you ever been bound down? *	
	(e) Have you ever been fined by a Court of Law? *	
	(f) Have you ever been convicted by a court of Law for any Offence? *	
	(g) Have you ever been debarred from any examination or rusticated by any authority/institution? *	
	(h) Have you ever been debarred/ disqualified by any Public Service Commission/Authority? *	
	(i) Is any case pending against you in any Court of Law at the time of filling up this Form? *	
	(ii) If the answer to any of the above-mentioned question is 'Yes' give full particulars of the case/arrest/detention/ fine/conviction/sentence/punishment etc. and/or the nature of the case pending in the Court/ authority or institution etc. at the time of filling up this form. *	
27.	Whether any contempt proceedings have ever been initiated against you; If yes, give the particulars/the result/ the stage of the proceedings. *	
28.	Whether any adverse remark(s) has ever been passed against you in any order / judgment by any Court of Law; if yes, give the particulars/the result/ the stage of the proceedings. *	
29.	Particulars of articles, if any, published in any book(s), periodical(s), law journal(s), newspaper(s) etc. reflecting legal acumen. *	
30.	Particular of cases in which the applicant was appointed as amicus curiae by the Court. *	
31.	Whether empanelled at any point of time with the Legal Services Authority for providing free legal aid or cases where any free legal aid was provided; if yes, give details thereof. *	
32.	Whether associated at any point of time with any National/ International Society/ Association/Club/Body or any other Legal Journal/ Publication relating to field of law.*	
33.	Whether associated with any faculty of law; if so the particulars thereof.*	

* Attach accompanying documents in support of details filled.

34.	Whether considered for being designated as Senior Advocate during last preceding two years by Supreme Court of India or High Court or any other High Court; if yes then the result thereof. *	
35.	Whether you are or have been State Counsel or Standing Counsel for Union of India or U.T., Chandigarh or on the panel of Advocate(s) for the State or Central Government or any Public Sector Authority or any Statutory Body; if so details thereof. *	
36.	Whether any junior advocate(s) is/are attached to your chamber; if so, their names and period(s) of their juniorship. *	
37.	Whether any proceedings were initiated or are pending against you before Bar Council of India or State Bar Council. If so, particulars thereof. *	
38.	General State of health.	
39.	Any other information*	
<p><u>DECLARATION:</u></p> <p>I _____ Advocate hereby give consent for being designated as a Senior Advocate.</p> <p>I hereby verify that the information furnished above is true and correct to my knowledge. Nothing material is concealed or suppressed therefrom. I understand that furnishing of false information or suppression of any factual information would render me unfit from being designated as a Senior Advocate.</p> <p style="text-align: right;">[Signature of the Applicant]</p>		
<p><u>UNDERTAKING:</u></p> <p>I _____ Advocate hereby undertake that on being designated as a Senior Advocate. I will not draft or sign pleadings in any Court, shall in all cases be assisted by another Advocate, shall not directly given consultation to any litigant, and shall not make any mention or seek an adjournment in any Court.</p> <p>I further undertake that on being designated as a Senior Advocate I shall appear and argue gratis at least in ten cases pro bono in a year as legal aid counsel.</p> <p style="text-align: right;">[Signature of the Applicant]</p>		
<p><u>CERTIFICATION:-</u></p> <p>I _____ Advocate hereby certify that no previous application seeking designation as a Senior Advocate has been rejected by the Supreme Court of India or any other High Court during the period of preceding two years from the date of this application.</p> <p style="text-align: right;">[Signature of the Applicant]</p>		

* Attach accompanying documents in support of details filled.

RECOMMENDATION:-

I _____ Senior Advocate
designated by Punjab and Haryana High Court hereby recommend the name of
_____ Advocate
for being designated as a Senior Advocate by Punjab and Haryana High Court.

[Signature]

I _____ Senior Advocate
designated by Punjab and Haryana High Court hereby recommend the name of
_____ Advocate
for being designated as a Senior Advocate by Punjab and Haryana High Court.

[Signature]

Note: Applicants should carefully read instructions attached herewith while filling up the Application-cum-Consent.

GENERAL INSTRUCTIONS TO BE FOLLOWED WHILE FILLING UP "APPLICATION-CUM-CONSENT" FOR BEING DESIGNATED AS SENIOR ADVOCATE

1.	Every Application-cum-Consent, in the prescribed proforma (which can be generated/typed) shall be made in English, typed/printed with font size(Arial-12) in double spacing on one side of the white paper (Legal Size) with an inner margin of about four centimeters width on top and on the left side.
2.	Attach accompanying documents in support of details filled in proforma.
3.	Documents accompanying the Application should be numbered consecutively in the index, in all sets of Application.
4.	All documents annexed to the Application should be accompanied by an Index containing the details thereof. (The Permanent Secretariat, at any stage, may ask for the supportive documents for verification in the light of the facts mentioned in the Application.)
5.	Name of the Applicant should tally with his/her name as mentioned in his/her enrolment certificate. Abbreviated name shall NOT be accepted.
6.	The Application should be presented in the shape of a Paper Book, duly tagged & indexed and not in spiral binding and the like.
7.	All photocopies of the accolades/testimonials should be legible and true copy of their respective originals.
8.	10 sets of the Application in the form of Paper Book, identical in all respects, should be filed.
9.	Passport size coloured photograph (original) should be pasted on each copy of the Application-cum-Consent.
10.	The Application should be accompanied by its soft copy in a searchable PDF format in a pen drive.

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^[1]PART C— Procedure for enrollment of Senior Advocate.

RULES FRAMED BY THE HIGH COURT OF PUNJAB AND
HARYANA UNDER SECTION 16(2) OF THE ADVOCATES ACT,
1961.

[Rules modified by way of substitution, as per norms/guidelines laid down by Hon'ble Supreme Court of India in Writ Petition(Civil) No. 454 of 2015 (Under Article 32 of the Constitution of India) titled as Ms. Indira Jaising Vs. Supreme Court of India and others]

1. An Advocate shall be eligible to be designated as a Senior Advocate, if he or she is an Advocate, duly registered with a Bar Council constituted under the Advocates Act, 1961 and is ordinarily practicing in the Punjab and Haryana High Court or in a court subordinate to it for a period of not less than 10 years;
2. All matters relating to designation of senior advocates shall be dealt with by a Permanent Committee to be known as "Committee for Designation of Senior Advocates";
3. The Permanent Committee will be headed by the Chief Justice and consist of two senior-most Judges. The Advocate General of Punjab and Haryana will be [ex officio members] of the Permanent Committee. The above five Members of the Permanent Committee will nominate another Member of the Bar to be the sixth Member of the Permanent Committee;
4. The said Committee shall be assisted by Registrar (Rules) of this Court and his/her office shall work as its permanent Secretariat.
5. All applications including written proposals by the Judges will be submitted to the Secretariat. On receipt of such applications or proposals from Judges, the Secretariat will compile the relevant data and information with regard to the reputation, conduct, integrity of the Advocate(s) concerned including his/her professional involvement/participation in pro bono work; reported and unreported judgments in which the Advocate(s) concerned had appeared; the number of such judgments for the last five years.
6. The source(s) from which information/data will be sought and collected by the Secretariat will be as decided by the Permanent Committee.
7. The Secretariat will publish the proposal of designation of a particular Advocate on the official website of this Court inviting

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the views and suggestions of other stakeholders in the proposed designation;

8. After the data-base in terms of the above is compiled and all such information as may be specifically directed by the Permanent Committee to be obtained in respect of any particular candidate is collected, the Secretariat shall put up the case before the Permanent Committee for scrutiny;
119. The Permanent Committee will examine each case in the light of the data provided by the Secretariat of the Permanent Committee; interview the concerned Advocate; and make its overall assessment on the basis of a point-based format or weighted criteria indicated below:

Sr. No.	Matter	Points
1.	Number of years of practice of the Applicant Advocate from the date of enrolment. [10 points for 10-20 years of practice; 20 points for practice beyond 20 years]	20 points
2.	Judgments (Reported and unreported) which indicate the legal formulations advanced by the Advocate concerned in the course of the proceedings of the case; pro bono work done by the applicant Advocate concerned; domain expertise of the applicant Advocate in a particular field and in various branches of law.	40 points
3.	Test of Personality and Suitability on the basis of interview/interaction.	25 points
4.	Publications by the Applicant Advocate	15 points

10. All the names that are listed before the Permanent Committee/cleared by the Permanent Committee shall be placed before the Full Court for approval.
11. Voting by secret ballot will not normally be resorted to by the Full Court except when unavoidable with reasons in writing. In the event of resort to secret ballot, decisions will be carried by a majority of the Judges who have chosen to exercise their preference/choice.

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12. The Advocate under consideration shall be called upon to file an undertaking, that after being so designated, he/she will not draft or sign pleadings in any Court, shall in all cases be assisted by another Advocate, shall not directly give consultation to any litigant, and shall not make any mention or seek an adjournment in any Court.
 13. Upon designation of an Advocate as Senior Advocate, he or she shall give an undertaking to appear and argue gratis at least ten cases pro-bono in a year as Legal Aid cases.
 14. The registry shall notify the result of the proposal to the Advocate concerned, and intimation shall also be sent to the High Court Bar Association, Bar Council of Punjab and Haryana, Bar Council of India and Registrar, Supreme Court of India.
 15. The said Advocate shall thereafter be designated as Senior Advocate in all the proceedings of the Court.
 16. The Chief Justice may *suo-motu* or on the written proposal/s by the Judge/s submitted as per Rule 5 above, subject to approval of Full Court, confer the honour to an Advocate by designating him or her as Senior Advocate.
 17. In the event a Senior Advocate is found guilty of conduct which according to the Full Court disentitles the Senior Advocate concerned to continue to be worthy of the designation, the Full Court may review its decision and recall the same.
 18. The High Court by simple majority shall withdraw the designation of a Senior Advocate, in case, it is found that he has acted in violation of the undertaking given before such designation; has committed professional misconduct; has shown intemperate behaviour in Court; has been found invariably negligent in discharge of professional duties; has failed to maintain at least two junior advocates in his office or on any other valid ground.
 19. All the cases that have not been favourably considered by the Full Court may be reviewed/reconsidered after expiry of a period of two years by following the manner indicated above, as if the proposal is being considered afresh;
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