

PART D—THE ADMISSION OF PLEADERS

1. The following persons may be admitted as pleaders:—

- (i) Persons who have graduated in the Faculty of Arts or of Science or of Commerce or of Agriculture and have also in the case of University of the Punjab either passed the L.L.M. examination or the LL.B. examination under the old Regulations, or the LL.B. Final examination under the new Regulations, which come into force with the Law examination of 1951, or have obtained the degree of Master of Laws or Bachelor of Laws at one of the other recognised universities in India or the United Kingdom ; provided that any person applying on or after 1st May, 1939, whose qualification is that of LL.B. under the revised regulations extending the LL.B. course from 2 to 3 years at the Universities of the Punjab or Delhi, shall produce a certificate that he has attended 75 per cent of the course of lectures, on Legal Ethics ; and also those who have passed the Bachelor of Civil Laws Examination of Delhi University ; provided further that any person applying on or after the 1st May, 1947, whose qualification is that of LL.B. under the revised regulations reducing the L.L.B. course from three to two years at the University of Delhi, shall further be required to pass the certificate of Proficiency Examination in Law of that University after undergoing a regular course of study for one year at that University ;
- (ii) Advocates, Vakils, Attorney and Pleaders of any other High Court in India whose names are still borne on the Roll of such court:

Provided that every person applying for admission who does not hold the degree of Master of Laws or Bachelor of Laws of the University of the Punjab or University of Delhi or Bachelor of Civil Laws of Delhi University or the degree of Master of Laws or Bachelor

of Laws at one of the recognised Universities in the United Kingdom, shall have previously passed an examination held by the University of the Punjab or the University of Delhi or the University of Aligarh or the University of Benaras in the Punjab Customary Laws, Punjab Land Revenue Act, Punjab Tenancy Act and Punjab Pre-emption Act and shall have practised as a pleader for not less than 3 years anywhere in India. These conditions, however, shall not apply to those law graduates of the recognised universities of India who have passed the LL.B., final examination of the Punjab University or the Certificate or Proficiency Examination in Law of Delhi University after undergoing a regular course of study for one year at the Punjab University Law College or the Delhi University, as the case may be:

Provided further that the High Court may, in a special case exempt a candidate from the operation of the condition with regard to the passing of examination in the Punjab Customary Laws, Punjab Land Revenue Act, Punjab Tenancy Act and Punjab Pre-emption Act, laid down in proviso 1 :

Provided further that in the case of a displaced Pleader of the Chief Court of Sind, Judicial Commissioner's Court of North-West Frontier Province and Baluchistan and the High Court of Bahawalpur State, who has practised as such in his province or area for six months, this rule shall have effect as if the preceding two provisos were omitted and the said Pleader shall be admitted as a Pleader of this Court if he possesses the qualifications specified in clause (i) or (ii) of this rule.

Admission of insolvents, dismissed Government servants and discharged insolvents.

Note.—No such person shall however, be admitted as a Pleader

- (a) if he has been declared insolvent: or
- (b) if he been dismissed from the service of Government unless he can show that his dismissal was not due to conduct showing him unfit to be admitted as a Pleader.

Discharged insolvents will be admitted if their insolvency was due to misfortune or circumstances beyond their control.

1-A. (1) Notwithstanding anything contained in these rules all persons who were admitted as Pleaders

in the erstwhile Pepsu High Court on or before the 31st October, 1956, shall be deemed to have been admitted as Pleaders of the Punjab High Court with effect from the 1st November, 1956.

(2) For purposes of seniority, a Pepsu Pleader shall be deemed to have been admitted as a Pleader of this Court on the date of his admission as a Pleader in Pepsu High Court or in any of the covenanting States if earlier.

2. Application to be admitted as a Pleader under the provisions of the Legal Practitioners' Act, 1879, shall be by petition to the High Court stamped under clause (b) (iii) of Article (1), Schedule II of the Indian Court Fees Act, 1870, as amended by Punjab Act No. XXVI of 1949. The application which must be dated and signed by the applicant shall state :

Mode of applying and particulars to be stated in application.

- (a) the age of applicant ;
- (b) the nature of the qualification under Rule 1 in respect of which the application is made ;
- (c) the year in which he graduated ;
- (d) the year or years in which he passed the Law Examination (s) mentioned in rule 1 ;
- (e) whether or not he holds any appointment under Government, and if so, the nature of the appointment held ;
- (f) whether he has been convicted by a Criminal Court or dismissed from Government service ;
- (g) that it is his intention to practise within the jurisdiction of the High Court ;
- (h) the district which he proposes to make his ordinary place of business ;
- (i) whether he has been declared insolvent

- (j) whether he is a discharged insolvent, and if so, he should give further particulars to show that his insolvency was due to misfortune or circumstances beyond his control.

Documents
to
accompany
application.

The petition shall be accompanied by evidence of the qualifications required, and by the fee fixed, by the rules for the time being in force. The applicant must produce a certificate from the Principal of Law College (which may in suitable cases be dispensed with) and another certificate from a person of standing and respectability (not a member of the Law College Staff) that he is suitable in every way for admission as a Pleader. If the applicant holds any appointment under Government or carries on any trade or business at the time of his application, the fact shall be stated in the petition.

The application shall also be accompanied by a written undertaking that-

- (i) he will within six months of his enrolment as a Pleader apply for membership of a Bar Association, and if admitted, continue to be a member ;
- (ii) he will abide by the High Court rules regulating the appointment of clerks by legal practitioners and make a declaration from time to time in the following form of his clerk's qualifications or disqualifications :—
- (1) name ;
 - (2) father's name ;
 - (3) qualification, i.e., whether a Matriculate, qualified petition-writer, or legal practitioner's clerk in service without break from a date prior to the date of the issue of the orders, viz.. 20th November, 1936;
 - (4) disqualifications, i.e., whether he was ever declared a tout, convicted of an offence

involving moral turpitude, or dismissed from Government service, the date of conviction or dismissal being given.

3. The petition shall be presented by the applicant in person or by an Advocate practising in the High Court and if it be granted, the Registrar shall give to the applicant a certificate in the Form annexed to these rules on the applicant's furnishing the requisite stamp paper and a declaration in writing stating the Civil and Criminal Courts and the Revenue Courts and Offices which he desires to be specified therein. The Registrar shall notify the admission in the *Punjab Government Gazette* :

Mode of presenting application-grant of certificate.

Provided that if the certificate be not taken out in the year in which the applicant is admitted, it shall not be issued without a special order of the Court.

1. A fee of ten rupees shall be payable by every person admitted by the High Court to be a Pleader under the foregoing rules.

Fees for admission.

FORM OF PLEADER'S CERTIFICATE

Pursuant to "The Legal Practitioners' Act, 1879" as amended by the "Legal Practitioners' Act, 1884," I hereby certify that_____

ordinary place of business is at_____ has been duly admitted by the Punjab High Court as a Pleader on the_____ and _____ is _____ entitled to practise as such, subject to the provisions of the Act above recited and to the rules made thereunder, during the current calendar year in the Courts and Offices specified below, that is to say : —

Civil Courts

The District Court and all Civil Courts of subordinate jurisdiction.

Criminal Courts

The Court of Session and all Criminal Courts of Subordinate Jurisdiction.

Revenue Offices

All Revenue Courts and Offices subordinate to the Court and Office of the Financial Commissioner.

Given under my hand and the seal of the Court, this _____ day of 19 .

Registrar.

N.B.—This license is liable to be revoked at any time during the said period on the grounds specified in sections 12 and 13 of the Act, and *inter alia* participation on the part of the holder in any seditious or disloyal movements will be considered reasonable causes for such revocation