

Affiliation Rule

Rules for the Affiliation or Reorganization of the Advocate / Bar Associations with the Jharkhand State Bar Council

Whereas the Bar Council is of the opinion that it is necessary and expedient for an unified Bar in the State and for furthering better links with the Advocates/Bar Associations the following rules are framed for the Affiliation of the Advocates/Bar Association.

These Rule shall be called :

- a) The Advocates/Bar Associations Affiliation Rules - 2006.
- b) They shall extended to the whole of Jharkhand.

1. Definition: - In these Rules:-

(a). " Association" means a body of Advocates having at least 50 Members if the Association is functioning at the District Head Quarter and in any other case having at least 25 members provided that the Bar Council may for good and sufficient reason, relax the conditions relating to number of Members in respect of the Associations.

(b) "Council" means the Bar Council of Jharkhand.

(c) "Advocate" means the legal practitioner whose names appear on the State roll of Advocates maintained by the State Bar Council.

(d) "Unit" will means Advocate/Bar Jharkhand High Court, District, Sub - Division, Income-Tax, Sales-Tax and Labour Tribunal at Ranchi, District or Sub-Divisional Head Quarter.

2. Affiliation:-

(a) All associations which were affiliated to Bihar State Bar Council , Patna till 22nd Nov.2000 may apply for regularization of their affiliation by making application on prescribed form on payment of Rs. 2100/- consolidated amount forthwith.

Provided, the sub -Divisional Bar Association with the State of Jharkhand may apply for regularization of affiliation on prescribed form with consolidated amount of Rs. 1400/- forthwith.

Break in affiliation of the association may effect their members of respective association in calculating claim under Jharkhand State Advocate Welfare Trustee Committee.

(b) Every Association desirous of affiliation may apply for its affiliation on the prescribed form (Sch.I) alongwith an affiliation fee of Rs. 500/- for District Bar Association and Rs. 300/- for Sub- Division Bar Association. A renewal fee of Rs. 300/- for District Bar Association and Rs. 200/- for Sub -Divisional Bar Association annually shall be payable 30th April, each year to the Bar Council for continuing the affiliation. If no renewal application is made by 30th May every year, the associations making application for renewal after the grace period shall be liable to pay fine @ Rs. 20/- per months alongwith the application for renewal.

***The renewal fee has been changed, the new fee structure is as follows:**

(A) District Bar Association - Rs. 3000/-

(B) Sub -Divisional Bar Association - Rs. 2000/-

Provided that affiliation will be accorded to one Association in one Unit, which has largest number of members on the date of affiliation.

(c) The Association shall forward to the Council the names of the office bearers every year alongwith the application for renewal in (Sch.II).

3. (a). Such affiliated Association shall under obligation to keep a vigil over the professional activities of the members of profession and shall promptly inform the Council about any Advocate committing breach of the rules professional standards and etiquette or of any other misconduct which in the opinion of its Executive Committee or the General Body is derogatory of the profession or the dereliction of his duties towards his client or fellow members and the council may thereupon take such action against the Advocate as he deems appropriate in the circumstances.

(b). The Council shall keep the affiliated Association informed of every important decision taken or resolutions passed by it or by the Bar Council of India. The affiliated Association shall carry out all the directions and instruction issued by the Council from time to time.

4. Dis- Affiliation:- *The Council may disaffiliate any Association on any of the following grounds:*

- (i) If any Association fails to renew its affiliation even on payment of fine for more than 12 months.
- (ii) If the Association deliberately or willfully disobeys or does not carry out the directions and instructions of the State Bar Council.
- (iii) The number of members of the Association falls below the prescribed limit.
- (iv) The annual election of the Association is not held in accordance with their rules and in spite of the request of the Council.
- (v) If it comes to the notice of the Council that the Association has mis-conducted itself by tarnishing the image and lowering down the dignity of profession and/or conducting itself, in a manner unbecoming of a lawyers' Association.
- (vi) Or for any reason the council may decide from time to time.

5. General/Supervisory:-

(I) In case of any dispute arising amongst the office bearer of the affiliated Association, the dispute shall be referred to Bar Council for decision. The Chairman himself or his nominees shall fix up a date with due notice to respective person decide the dispute within three months of receipt of the complaints. Such decision of the Council shall be final and binding.

Provided the aggrieved party may move in appeal within 30 days of the order to Bar Council.

(II) However, Bar Council shall have right to seek/call for any information from any association within State of Jharkhand.

Schedule- I

Application for Affiliation or Registration of Association under the Jharkhand Advocate's Welfare Act.

1. Name of Association :

2. Address :

3. Name of President :

4. Name of Secretary/General Secretary :

5. Strength of Association :
(Name, Father's Name, Date of Enrolment, Date of Birth and other details, if any, should be furnish separately of all the existing members)

6. Details of Bank Draft
(The Draft should be drawn in favour of "Jharkhand State Bar Council" payable at Ranchi)
Draft No.
Date.....
Amount
Name of Bank
7. Copy of Rules of the Association:

Signature of Secretary

Signature of President.

Schedule -II

Application for Renewal of the Association

1. Name of Association :

2. Address :

3. Name of the President :

4. Name of Secretary/General Secretary :

5. Strength of Association
and details of new members :

6. Registration No.

7. Amount paid by Draft :

8. Name of office Bearer :

Signature of Secretary

Signature of President