

THE HIGH COURT OF MEGHALAYA
SHILLONG

NOTIFICATION

Dated Shillong, 17th December, 2013

**GUIDELINES FOR DESIGNATING AN ADVOCATE AS SENIOR ADVOCATE BY
HIGH COURT OF MEGHALAYA UNDER THE PROVISIONS OF SECTION 16 (2)
OF THE ADVOCATES ACT, 1961.**

No.HCM.II/430/2013/6023. The High Court of Meghalaya may designate an Advocate as Senior Advocate, if in its opinion by virtue of his ability, standing at the Bar or special knowledge or experience in law, the said Advocate is deserving of such distinction.

2. Such designation as Senior Advocate shall be considered on the written proposal made by-

(i) the Chief Justice of the High Court of Meghalaya ; or

(ii) any sitting Judge of the High Court of Meghalaya ; or

(iii) an Advocate General of the State of Meghalaya provided he himself is a Senior Advocate ; or

(iv) three existing Senior Advocates of the High Court of Meghalaya

3. No person shall be eligible to be designated as Senior Advocate unless-

(a) he has completed the age of 35 years ;

(b) has a minimum of ten years standing as an advocate of which five years practice should be in the High Court of Meghalaya

(c) has the annual income of not less than the minimum amount on which the income tax is payable in non Tribal areas ;

(d) some reported cases have been argued by him.

4. While calculating the aforesaid standing of ten years, the period spent by a Judicial Officer during his service career shall be taken into consideration,

5. The proposal shall be in the form prescribed.

6. Consent of the concerned Advocate :

So far clauses (i) and (ii) of Rule.2 are concerned, a proposal may be initiated after ascertaining the inclination of the Advocate concerned. So far clauses (iii) and (iv) of Rule 2 are concerned, prior consent of the Advocate concerned shall be appended to along with the proposal.

7. Immediately on receipt of the proposal, the same shall be entered in a Register maintained in the Registry,

8. Consideration of the proposal by the High Court :-

(a) The proposal for designation of an Advocate as Senior Advocate shall be considered at the meeting of the Full Court except in cases mentioned in Rule 8 (c). It shall be accepted only if in such meeting not less than two third of the total number of Judges present are in favour of accepting the proposal.

(b) A proposal once rejected, shall not be considered again for designation as Senior Advocate, unless two years have expired since the date of such consideration.

(c) In case of persons holding the office of Advocate General of Meghalaya, the designation of such Advocate as Senior Advocate shall be made by the Chief Justice of High Court of Meghalaya.

9. Designation of Senior Advocate shall be liable to be cancelled after due notice in the event of it being found that he has violated any or all of the provisions of the Rules prescribed by the Bar Council of India under Sections 16(3) and 49(1)(g) of the Act as provided at Annexure "A" of these rules.

10. Upon an Advocate being designated as Senior Advocate, or on cancellation of such designation, the Registrar General shall communicate the same to the Supreme Court of India, the Secretary to the Bar Council of India, the Secretaries of Bar Council of all the States in India, the Advocate General of the State of Meghalaya, all the District & Sessions Judges subordinate to the High Court of Meghalaya and to the Advocate concerned.

11. A record of all such decisions shall be maintained in the Registry of the High Court.

12. On notification of these guidelines, the earlier/previous Rules will stand repealed.

FORM OF PROPOSAL FOR DESIGNATION AS SENIOR ADVOCATE

- 1. Name of the Advocate :
- 2. Permanent Address :
- 3. Educational Qualification :
- 4. Date of birth :
- 5. Date of enrolment as Advocate :
and where enrolled.
- 6. Number in the Roll of Advocates :
maintained by the State Bar Council
and date thereof.
- 7. Is the Advocate under proposal :
an assessee under the Income Tax Act
in respect if of his professional income.
If so, give details of the income assessed
for the last three years and permanent
Income Tax A/C Number.
- 8. Other information (optional), :
if any, including legal aid work
publication of books, journals,
participation in Seminar/Conference,
association with any Faculty of
Law etc. etc.

Dated:

SIGNATURE OF PROPOSER

I hereby express and give my consent to be designated as Senior Advocate by the High Court of Meghalaya.

Dated this day of

SIGNATURE OF THE ADVOCATE CONCERNED

By order,

REGISTRAR GENERAL

Memo.No.HCM.II/430/2013/ 6023 (A) Dated Shillong 17th December, 2013.

Copy to :-

1. The Director Printing and Stationery, Meghalaya Government Press with a request to publish this notification in the next issue of the Gazette.
2. The Advocate General, Government of Meghalaya.
3. The Additional Advocate General, Government of Meghalaya.
4. The Joint Registrar-cum-Secretary to Hon'ble the Chief Justice, High Court of Meghalaya, Shillong.
5. The Deputy Registrar (Estt/Judl), High Court of Meghalaya, Shillong.
6. The Assistant Registrar (Judl), High Court of Meghalaya, Shillong.
7. The Librarian-cum-Research Officer, High Court of Meghalaya, Shillong.
8. The Private Secretary to Hon'ble Mr. Justice T.N.K.Singh, High Court of Meghalaya, Shillong.
9. The Private Secretary to Hon'ble Mr. Justice S.R. Sen, High Court of Meghalaya, Shillong.
10. The System Analyst, High Court of Meghalaya, Shillong for uploading this Notification in the official website.
11. The President/Secretary, High Court Bar Association, Shillong.
12. Office file.

REGISTRAR GENERAL