

OFFICE OF THE PRINCIPAL DISTRICT JUDGE:: KURNOOL

Dis.No. 34077 /Estt/2024

Dated 20-06-2024

Gazette Notification Nos.4 & 5, dated 06-03-2024, Law (L & LA & Justice) Department, Government of Andhra Pradesh communicated by the Hon'ble High Court of Andhra Pradesh, Endt.No.590/SO/2023, dated 31-05-2024, is herewith communicated.

All the Judicial Officers working in Kurnool District are requested to download the Gazette Notification Nos.4 & 5, dated 06-05-2024, Law (L & LA & Justice) Department, Government of Andhra Pradesh communicated by the Hon'ble High Court of Andhra Pradesh Endt.No.590/SO/2023, dated 31-05-2024, from District Court website i.e., <https://kurnool.dcourts.gov.in> for information.

All the Judicial Officers are requested to submit the compliance report after downloading the above copy to this Court.


PRINCIPAL DISTRICT JUDGE,
KURNOOL.

To

1. All the Judicial Officers in the Kurnool District **with a request to communicate the same to the Bar Association concerned and directed to display of the same on the notice board of their respective courts in the District.**
2. The President/s, Bar Association/s, Kurnool district, **with a request to communicate among all the Bar members and to display of the same on the notice board of their respective Bar Associations in the District.**
3. The Principal District Court's Notice Board, Kurnool.
4. The Superintendent (Accounts), Principal District Court, Kurnool.
5. The Stenographer Grade-I, Principal District Court, Kurnool.
6. The Superintendent/Civil Bench Clerk, Principal District Court, Kurnool.
7. The Superintendent/Central Record Keeper, Principal District Court, Kurnool.
8. The Superintendent, Copyist Establishment, Principal District Court, Kurnool.

The System Officer, District Court, Kurnool, with a direction to upload the same in the District Court's Official website.



ఆంధ్రప్రదేశ్ రాజపత్రము

THE ANDHRA PRADESH GAZETTE
PART IV-B EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 31 AMARAVATI, WEDNESDAY, 6th MARCH, 2024

ANDHRA PRADESH ACTS, ORDINANCES AND
REGULATIONS Etc.,

The following Act of the Andhra Pradesh Legislature received the assent of the Governor on the 5th March, 2024 and the said assent is hereby first published on the 6th March, 2024 in the Andhra Pradesh Gazette for general information :

ACT No. 4 of 2024

AN ACT FURTHER TO AMEND THE ANDHRA PRADESH ADVOCATES' WELFARE FUND ACT, 1987.

Be it enacted by the Legislature of the State of Andhra Pradesh in the Seventy-Fifth year of the Republic of India as follows:

1. (1) This Act may be called the Andhra Pradesh Advocates' Welfare Fund (Amendment) Act, 2024.

Short title,
and
commencement.

(2) It shall come into force on such date as the State Government may, by Notification, in the Andhra Pradesh Gazette, appoint.

2. In the Andhra Pradesh Advocates' Welfare Fund Act, 1987 (hereinafter referred to as the Principal Act), in section 4, -

Amendment
of Section 4
Act No. 33 of
1987.

(1) for clause (g) of sub-section (3), the following shall be substituted, namely, -

"(g) three members nominated by the Bar Council from amongst its members of whom, one shall be nominated by the Committee as the Treasurer of the Fund. Among the three members, one shall be from Rayalaseema."

R.No 4753
20/6/24

- (2) for sub-section (4), the following shall be substituted, namely,-

"(4) A member elected from the Bar Council under clause (g) of sub-section (3) shall hold office for a term of five (5) years or for the duration of his membership in the Bar Council, whichever is less.

Central Act
No. 25 of 1961

In case of extension of the term of the elected members by the Bar Council of India under section 8 of the Advocates Act, 1961 or otherwise, the duration of the elected members shall be till the extended term.

In case of constitution of the Special Committee by the Bar Council of India under section 8-A of the Advocates Act, 1961, the members of the Special Committee shall become the members of the Welfare Fund Committee along with other ex-officio members."

Amendment
of section 12.

3. In the Principal Act, in section 12,-

- (1) for sub-section (1), the following shall be substituted, namely,-

"(1) There shall be printed or cause to be printed by the Commissioner and Inspector General of Registration and Stamps, Andhra Pradesh, in such manner as may be prescribed a combined stamp, superscribed in Telugu language as "*Nyayavadula mariyu vaari Gumasthala Samkshema Nidhi*" each of the value of Rs.250/- (Rupees Two Hundred and Fifty only) through Government Security Printing Press, on an indent placed by the Andhra Pradesh Advocates' Welfare Fund Committee."

- (2) in sub-section (2), for the words "rupees hundred", the words and figures "Rs.250/- (Rupees Two Hundred and Fifty only)" shall be substituted.

Substitution of
section 12 A.

4. In the Principal Act, for section 12 A, the following shall be substituted, namely,-

"12 A. Apportionment of subscription and the cost of printing of stamps:

- (1) Notwithstanding anything contained in section 12, out of the subscription received on stamps worth of Rs.250/-, a sum of Rs.228/- shall be credited to the "Andhra Pradesh Advocates' Welfare Fund" and Rs.22/- shall be credited to the "Andhra

Pradesh Advocates' Clerks' Welfare Fund" and where such a stamp is affixed to vakalat/Memo of Appearance, the provisions of sub-section (2) of Section 12 shall be deemed to have been complied with.

- (2) The cost of the printing of the stamps under sub-section (1) of section 12 shall be apportioned between the "Andhra Pradesh Advocates' Welfare Fund" constituted under section 3 of the Andhra Pradesh Advocates' Welfare Fund Act, 1987 and the "Andhra Pradesh Clerks' Welfare Fund" constituted under section 3 of the Andhra Pradesh Advocates' Clerks' Welfare Fund Act, 1992 in the proportioned amount.

Act No. 13 of
1992.

5. in the Principal Act, Section 12 B shall be omitted.

Omission of
section 12 B.

G. SATYA PRABHAKARA RAO.

Secretary to Government,
Legal and Legislative Affairs & Justice,
Law Department.

STATEMENT OF OBJECTS AND REASONS

The Andhra Pradesh Advocates' Welfare Fund Committee has stated that in view of the bifurcation of the combined State of Andhra Pradesh in the year, 2014 and consequent bifurcation of the erstwhile Bar Council of Andhra Pradesh in the year, 2019, consisting of thirteen (13) districts, the existing section 4 of the Andhra Pradesh Advocates' Welfare Fund Act, 1987 (hereinafter referred to as the Principal Act) has to be amended to nominate three (3) Members to the Andhra Pradesh Advocates' Welfare Fund Committee, from the thirteen (13) districts.

Having regard to the fact that the Bar Council of India has extended the term of the Bar Council beyond 5 years, it is necessary to amend the Act to ensure that the Elected Members of the Bar Council continue in the Committee till the extended term.

The Andhra Pradesh Advocates' Welfare Fund Committee stated that to avoid delay in granting claim amounts to the applicants by the Advocates' Welfare Fund Committee, after expiring the prescribed term of five (5) years to hold office by the Members, Bar Council, it is necessary to amend section 4(4) of the Principal Act, to confirm to the period of the tenure of the Bar Council.

Considering the request and demands from the Advocates' Community for enhancement of benefits under the Andhra Pradesh Advocates' Welfare Fund Act, to generate funds for welfare of Advocates, a new Section 12B was inserted in the Principal Act to introduce "*Nyayavadula Samikshema Nidhi Stamp*" of Rs.20/- which shall be affixed on Interlocutory Applications and Miscellaneous Petitions, vide the Andhra Pradesh Advocates' Welfare Fund (Amendment) Act, 2023 (Act No.6 of 2023) and the same has come into force with effect from 01.06.2023.

On implementation of Section 12B, certain Bar Associations in Andhra Pradesh have expressed their difficulties in affixing the stamp of Rs.20/- on I.As and M.Ps. Therefore, the Bar Council of Andhra Pradesh has convened a meeting with all the Bar Associations and most of the Bar Associations have suggested to increase the value of the stamp to be affixed on Vakalat / Memo of Appearance from the existing Rs.100/- and to discontinue the affixation of stamp of Rs.20/-. After considering the suggestions of the Bar Associations, the Bar Council of Andhra Pradesh has passed the following resolution.

"to repeal Section 12B of the Principal Act and to enhance "*Nyayavadula mariyu vaari Gumasthala Samkshema Nidhi Stamp*" value from the existing Rs.100/- to Rs.250/-, in which a sum of Rs.228/- shall be credited to the Andhra Pradesh Advocates' Welfare Fund and Rs.22/- shall be credited to the Andhra Pradesh Advocates' Clerks' Welfare Fund."

The facts cited under above need immediate intervention, so as to mitigate the hardship faced by the Advocate community by reason of conforming to the requirement of affixing of Rs.20/- on every I.A. and miscellaneous petitions. It is proposed to be replaced by the provision of one time of affixing the stamp of Rs.250/- instead of affixing the stamp of Rs.100/- at the time of institution of filing of the case. Accordingly, Sections 12 and 12A are to be amended, while the existing Section 12B is to be omitted.

After considering the above circumstances, the Bar Council of Andhra Pradesh, and the Andhra Pradesh Advocates' Welfare Fund Committee have recommended to amend sections 4(3)(g), 4(4), 12, 12A and to omit section 12B of the Principal Act.

Accordingly, it has been decided to amend the Andhra Pradesh Advocates Welfare Fund Act, 1987 (Act. No.33 of 1987).

G. SATYA PRABHAKARA RAO,
Secretary to Government,
Legal and Legislative Affairs & Justice,
Law Department.



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THE ANDHRA PRADESH GAZETTE
PART IV-B EXTRAORDINARY
PUBLISHED BY AUTHORITY

AMARAVATI, WEDNESDAY, 6th MARCH, 2024

ANDHRA PRADESH ACTS, ORDINANCES AND
REGULATIONS Etc.,

The following Act of the Andhra Pradesh Legislature received the assent of the Governor on the 5th March, 2024 and the said assent is hereby first published on the 6th March, 2024 in the Andhra Pradesh Gazette for general information :

ACT No. 5 of 2024

AN ACT FURTHER TO AMEND THE ANDHRA PRADESH
ADVOCATES' CLERKS' WELFARE FUND ACT, 1992.

Be it enacted by the Legislature of the State of Andhra Pradesh in the Seventy-Fifth year of the Republic of India as follows:

(1) This Act may be called the Andhra Pradesh Advocates' Clerks' Welfare Fund (Amendment) Act, 2024. Short title and commencement.

(2) It shall come into force on such date as the State Government may, by Notification, in the Andhra Pradesh Gazette, appoint.

In the Andhra Pradesh Advocates' Clerks' Welfare Fund Act, 1992 (hereinafter referred to as the Principal Act), in section 12, - Amendment of section 12

(1) for sub-section (1), the following shall be substituted, namely,- Act No. 13 of 1992

"(1). There shall be printed or cause to be printed by the Commissioner and Inspector General of Registration and Stamps, Andhra Pradesh, in such manner as may be prescribed a combined stamp, superscribed in Telugu language as "Nyayavadula mariyu vaari Gumasthala Samkshema Nidhi"

each of the value of Rs.250/- (Rupees Two Hundred and Fifty only) through Government Security Printing Press, on an indent placed by the Andhra Pradesh Advocates' Welfare Committee.”.

- (2) in sub-section (2), for the words “rupees fifty”, the words and figures “Rs.250/- (Rupees Two Hundred and Fifty only)” shall be substituted.

Substitution of 3.
section 12 A

In the principal Act, for section 12A, the following shall be substituted, namely,-

“12-A. Apportionment of subscription and the cost of printing of stamps:

- (1) Notwithstanding anything contained in section 12, out of the subscription received on stamps worth of Rs.250/-, a sum of Rs.228/- shall be credited to the “Andhra Pradesh Advocates' Welfare Fund” and Rs.22/- shall be credited to the “Andhra Pradesh Advocates' Clerks' Welfare Fund” and where such a stamp is affixed to vakalat/Memo of Appearance, the provisions of sub-section (2) of Section 12 shall be deemed to have been complied with.
- (2) The cost of the printing of the stamps under sub-section (1) of section 12 shall be apportioned between the “Andhra Pradesh Advocates' Welfare Fund” constituted under section 3 of the Andhra Pradesh Advocates' Welfare Fund Act, 1987 and the “Andhra Pradesh Advocates' Clerks' Welfare Fund” constituted under section 3 of the Andhra Pradesh Advocates' Clerks' Welfare Fund Act, 1992 in the proportioned amount.”.

Amendment of 4.
section 15.

In the principal Act, in section 15, for sub-section (5), the following shall be substituted, namely,-

- “(5) Every recognized Clerk of the Advocate in the State shall pay to the fund an Admission Fee of Rs. 100/- along with an amount of Rs.2500/- towards subscription of life membership.”.

G. SATYA PRABHAKARA RAO,
Secretary to Government,
Legal and Legislative Affairs & Justice,
Law Department

STATEMENT OF OBJECTS AND REASONS

The Andhra Pradesh Advocates' Clerks' Welfare Fund Committee has stated that after considering the requests and demands from the Advocates' Clerks' Community to enhance the benefits and in view of the proposed enhancement of the benefits by the A.P. Advocates' Welfare Fund Committee, they have proposed to amend Sections 12 and 12 A of the Principal Act.

The said Committee has stated that they are of the view to enhance the death benefit, retirement benefit and Financial Assistance to the Advocates' Clerks, proposed to amend section 15 (5) of the Principal Act, regarding the Admission Fees and Life Subscription.

Since the subject matters pertains to the benefits which are required to be passed on to the Advocates' Clerks, an intervention in the form of the present Act will have the effect of addressing the needs forthwith and therefore to bring about the amendments to the present Act on par with the proposed Advocates' Welfare Fund (Amendment) Bill.

Accordingly, the Government have decided to amend the Andhra Pradesh Advocates' Clerks' Welfare Fund Act, 1992 (Act.No 13 of 1992).

G. SATYA PRABHAKARA RAO,
Secretary to Government,
Legal and Legislative Affairs & Justice,
Law Department.

HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

Endt.Roc.No.590/SO/2023

Dated: 31.05.2024

Gazette Notification Nos.4 & 5, Date: 06.03.2024,
Law (L & LA & Justice) Department,
Government of Andhra Pradesh.

"COMMUNICATED."


I/c.REGISTRAR GENERAL

To

- 1) The Pri. Secretary to the Hon'ble the Chief Justice.
(with a request to place the same for His Lordship's kind perusal)
- 2) All the Personal Secretaries to the Hon'ble Judges.
(with a request to place the same before their Lordship's kind perusal)
- 3) All Registrars in the High Court of Andhra Pradesh.
- 4) The Registrar (IT-cum-CPC), High Court of Andhra Pradesh, (with a request to place the same in the Official website of the High Court).
- 5) All the Unit Heads in the State Andhra Pradesh (with a request to circulate the same to all the Judicial Officers in the District.)
- 6) The President, High Court Bar Association of Andhra Pradesh.
- 7) The Secretary, Bar Council of Andhra Pradesh, High Court Building.
- 8) The Member Secretary, A.P.State Legal Services Authority, High Court Building, Amaravati.
- 9) The Secretary, High Court Legal Services Committee, High Court Building, Amaravati.
- 10) The Director, Mediation and Arbitration Centre, High Court Building, Amaravati.
- 11) The Director, A.P. Judicial Academy, Mangalagiri, Guntur District.
- 12) All the Officers, High Court of Andhra Pradesh.
- 13) The Section Officers, Posting Section, New Filing Section, (Writ, Civil, Criminal and O.S) High Court of Andhra Pradesh.