



RAMA UNIVERSITY

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FACULTY OF JURIDICAL SCIENCES

SUBJECT: Professional Ethics and
Professional Accounting System

SUBJECT CODE: BAL 704/BBL704/ LL.B. 503

LECTURE: 10

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Lecture-10



THE LEGAL PRACTITIONERS ACT, 1884

LECTURE 10: The Legal Practitioner Act, 1884

The Legal Practitioner Act, 1884

The power to make rules regarding Advocates of the High Court was also conferred on the non-chartered High Courts by the Legal Practitioners Act, 1884 (X of 1884). Such a High Court could make rules, with the previous sanction of the Provincial Government, as to the qualifications and admission of proper persons to be Advocates of the Court, and subject to such rules could enroll so many Advocates as it thought fit. The High Court could dismiss any advocate or suspend him from practice after giving him an opportunity of defending himself, but such an order needed the confirmation of the Provincial Government.

The Calcutta High Court held that women were not entitled to be enrolled as Vakils or Pleaders of courts subordinate to the High Court. A similar case came before the Patna High Court. Miss Hazara secured a B.L. Degree for the Calcutta University. She was refused enrolment as Pleader. She challenged this in the High Court of Patna. The Court ruled that the section of the Legal Practitioners' Act referred to males and not to females. This was to be expected as since 1793 no women had ever been admitted to the roll of pleaders.

Dawson Miller, C.J. observed: "...it is not shown that the women ever acted as pleaders in the courts of this country. On the contrary the enactments referred to show that they have been invariably excluded not by any direct prohibition but inferentially by words appropriate only to the male sex, as though the matter were one well settled by inveterate usage and requiring no express legislation."

The Legal Practitioners (women) Act, 1923

To remove doubts about the eligibility of women to be enrolled and to practice as legal practitioners, the Legal Practitioners (Women) Act, XXIII of 1923, was enacted to expressly provide that no woman would by reason only of her sex be disqualified from being admitted or enrolled as a legal practitioner or from practicing as such. Since this enactment, women began getting enrolled as legal practitioners and their number has been increasing ever since.

SELF-TEST QUESTIONS

S.NO	Question	Option (a)	Option (b)
1.	The power to make rules regarding Advocates of the High Court was also conferred on the non-chartered High Courts by the Legal Practitioners Act, 1884	True	False
2.	High Court could make rules, with the previous sanction of the Provincial Government, as to the qualifications and admission of proper persons to be Advocates of the Court	True	False
3.	The Calcutta High Court held that women were not entitled to be enrolled as Vakils or Pleaders of courts subordinate to the High Court	True	False
4.	The High Court could dismiss any advocate or suspend him from practice after giving him an opportunity of defending himself	True	False
5.	To remove doubts about the eligibility of women to be enrolled and to practice as legal practitioners, the Legal Practitioners (Women) Act, XXIII of 1923	True	False

Answers: 1-(b),2-(a), 3-(a),4-(a),5-(a)