



RAMA UNIVERSITY

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FACULTY OF JURIDICAL SCIENCES

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LECTURE: 20

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Lecture-20



State Bar Council

State Bar Councils

The Advocate Act, 1961, has made provisions for the establishment of Bar Councils. The Bar Council will be two patterns - Bar Council of India and State Bar Council. Under Section 3 of the Act State Bar Council will be established. However, Under Section 4, a Bar Council of India will be established.

State Bar Councils :

(1) There shall be a Bar Council —

(a) for each of States of Andhra Pradesh, Bihar, Gujarat, Jammu and Kashmir, Jharkhand Madhya Pradesh, Chhattisgarh, Karnataka, Orissa, Rajasthan Uttar Pradesh and Uttaranchal, to be known as the Bar Council of that State;

(b) for the States of Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland and Tripura to be known as the Bar Council of Assam, Nagaland, Meghalaya, Manipur, Tripura, Mizoram and Arunachal Pradesh.

(c) for the State of Kerala and the Union territory of Lakshadweep, to be known as the Bar Council of Kerala;

(cc) for the State of Tamil Nadu and the Union territory of Pondicherry to be known as the Bar Council of Madras;

(ccc) for the States of Maharashtra and Goa, and the Union territories of Dadra and Nagar Haveli and Daman and Diu, to be known as the Bar Council of Maharashtra and Goa;

(d) for the States of Punjab and Haryana, and the Union territory of Chandigarh, to be known as the Bar Council of Punjab and Haryana;

(dd) for the State of Himachal Pradesh, to be known as the Bar Council of Himachal Pradesh;

(e) for the State of West Bengal and the Union territory of Andaman and Nicobar Islands, to be known as the Bar Council of West Bengal; and

(f) for the Union territory of Delhi, to be known as the Bar Council of Delhi.

(2) A State Bar Council shall consist of the following members, namely:—

(a) in the case of the State Bar Council of Delhi, the Additional Solicitor General of India ex officio in the case of the State Bar Council of Assam, Nagaland, Meghalaya, Manipur and Tripura, the Advocate

General of each of the State of Assam, Manipur, Meghalaya, Nagaland and Tripura, ex officio; in the case of the State Bar Council of Punjab and Haryana, the Advocate-General of each of the State of Punjab and Haryana, ex officio; and in the case of any other State Bar Council, the Advocate-General of the State, ex officio;

(b) in the case of a State Bar Council with an electorate not exceeding five thousand, fifteen members, in the case of a State Bar Council with an electorate exceeding five thousand but not exceeding ten thousand, twenty members, and in the case of the State Bar Council with an electorate exceeding ten thousand, twenty-five members, elected in accordance with the system of proportional representation by means of the single transferable vote from amongst advocates on the electoral roll of the State Bar Council: Provided that as nearly as possible one-half of such elected members shall subject to any rules that may be made in this behalf by the Bar Council of India, be persons who have for at least ten years been advocates on a State roll, and in computing the said period of ten years in relation to any such person, there shall be included any period during which the person has been an advocate enrolled under the Indian Bar Councils Act, 1926 (38 of 1926).

Term of Office of the Members of State Bar Council : Section 8 Provides term of the office of the Members of the State Bar Council -

The term of office of an elected member of a State Bar Council (other than an elected member thereof referred to in section 54) shall be five years from the date of publication of the result of his election:

Provided that where a State Bar Council fails to provide for the election of its member before the expiry of the said term, the Bar Council of India may, by order for reasons to be recorded in writing, extend the said term, the Bar Council of India may, by order, extend the said term for a period not exceeding six months.

SELF-TEST QUESTIONS

S.NO	Question	Option (a)	Option (b)
1.	The Bar Council will be two patterns - Bar Council of India and State Bar Council.	True	False
2.	Under Section 3 of the Act State Bar Council will be established	True	False
3.	Under Section 4, a Bar Council of India will be established	True	False
4.	Section 8 Provides term of the office of the Members of the State Bar Council	True	False
5.	The term of office of an elected member of a State Bar Council (other than an elected member thereof referred to in section 54) shall be five years from the date of publication of the result of his election	True	False

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