



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: 16

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Lecture-16



SUPREME COURT BAR

LECTURE 16: Supreme Court Bar

SUPREME COURT BAR

The rules of the Federal Court laid down “a person shall not be entitled to be enrolled as an Advocate unless he is, and has been for not less than ten years in the case of a Senior Advocate or five years in the case of any other Advocate, enrolled as an Advocate in the High Court of a Province”. Under those rules it was not necessary that such an Advocate should hold a degree in law of a University. Any Advocate enrolled with a State Bar Council is now entitled to practice in the Supreme Court irrespective of his standing at the Bar. In the Supreme Court there exist three categories of advocates Senior Advocates, Advocates and Advocates on record.

A Senior Advocate is one who with his consent may be designated as such if the Supreme Court is of the opinion that by virtue of ability, experience and standing at the Bar he is deserving of such distinction. An Advocate can become an Advocate on record after undergoing one year training with an Advocate on record and passing an examination held by the Court. He has to have an office in Delhi within a radius of 16 kilometers of the Court House and has to employ a registered clerk. An Advocate on record corresponds to a Solicitor in Calcutta or Bombay and has the right both to act and plead. Senior and other Advocates have only the right to plead but not act. A senior Advocate cannot appear before the Supreme Court without an advocate on record or without a junior in any other court or tribunal in India. An Advocate (other than a Senior Advocate) cannot appear and plead before the court in any matter unless he is instructed by an Advocate on record. Thus, a sort of dual system exists in the Supreme Court.

There is no separate Bar Council for the Supreme Court. The reason is that every Advocate practicing in the Supreme Country is already a member of one of the State Bar Councils and subject to its discipline. According to the Law Commission: “The Advocates ordinarily practicing before the Supreme the Court will have the opportunity of exercising their franchise as members of the profession in regard to the Bar Council of the State to which they belong.”[c] They would also have representation in the All-India Bar Council. Under **Article 145 (1) (a)**, the Supreme Court has power to make rules as to the persons practicing before it subject to any law made by Parliament and with the approval of the President.

SELF-TEST QUESTIONS

S.NO	Question	Option (a)	Option (b)	Option (c)	Option (d)
1	In 1961, parliament enacted the Advocates Act to amend in consolidated the law relating to the	legal practitioner	Medical practitioner	Account practitioner	None of the Above
2	In 1961, parliament enacted the Advocates Act for the constitution for the	State Bar Council	All India Bar Council	State Bar Council and All India Bar Council.	None of the Above
3	The Advocates Act implements the recommendation of thein the Law Commission with some modifications	Bar Committee	Lawyer Committee	Bench Committee	None of the Above
4	It repeals the Indian Bar Council Act, 1926, the....., in other laws under subject.	Legal Practitioners Act, 1879	Legal Practitioners Act, 1880	Legal Practitioners Act, 1890	None of the Above
5	The Act establishes anfor the first time	All India Bar Council	State Bar Council	District Bar Council	None of the Above

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



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