



भारतीय विधिज्ञ परिषद् BAR COUNCIL OF INDIA

(Statutory Body Constituted under the Advocates Act, 1961)

21, Rouse Avenue Institutional Area, Near Bal Bhawan, New Delhi - 110002

**MINUTES of the JOINT MEETING of the
 BAR COUNCIL OF INDIA with the representatives of all
 STATE BAR COUNCILS and representatives of HIGH COURT BAR
 ASSOCIATIONS, CO-ORDINATION COMMITTEE OF BAR ASSOCIATIONS OF
 DELHI and NCR held on 2nd February, 2019 at 11 am at the Auditorium of Bar
 Council of India to deliberate discuss and demand welfare measures for the
 Lawyers and litigant public of the country from the
 Government of India**

1. A Joint meeting of the Bar Council of India with the representatives of all State Bar Councils and representatives of High Court Bar Associations, Coordination Committee of Bar Associations of Delhi and NCR was held on **2nd February, 2019 at 11 am** at the Auditorium of Bar Council of India. The meeting discussed various issues and demands pertaining to welfare measures for the Lawyers and litigant public of the country from the Government of India as also the letter of the Chairman Bar Council of India (Mr. Manan Kumar Mishra) dated 22.01.2019 addressed to the Hon'ble Prime Minister of India in this regard. The meeting unanimously supported and accepted the stand taken by Hon'ble Chairman and requested Hon'ble Prime Minister Mr. Narendra Modi to accept the demands and fulfil his promise given to the Bar Council of India, (the lawyers of the country) on **1st March, 2014 in Mahatama Mandir, Gandhinagar, Gujarat.**
2. The meeting expressed its strong anguish over inaction of P.M.O. for not doing anything for Legal fraternity and its deaf ear to the letter of Hon'ble Chairman dated **(22.1.2019).**
3. The meeting decided to give a call to the Lawyers of the country to come on roads in order to protect their rights and privileges. The steps of the Union Govt, to scrap the institutions like M.C.I, was also condemned and the meeting warned the Govt, against such steps to throttle the democratic Institutions. The Lawyers' bodies are meant to save the democracy and the independence of Judiciary and all other institutions. The meeting unanimously resolved to convey to the citizens of India that any attempt of any Govt. to damage the constitutional/statutory institutions would not be tolerated by the Lawyers of the country.

4. The meeting praised the recent Judgment of Hon'ble Supreme Court in WP (C) No. 612 of 2016 in the matter of (R. Muthukrishnan Vs. The Registrar General of the High Court of Judicature of Madras) by which Hon'ble Court has set aside the Rules framed by Madras High Court under Section 34 of the Advocates Act, 1961.
5. The meeting expressed its grave concern over frequent criticism of Judiciary and the Judges of apex court by some Lawyers and few other people with vested interest. Bar is here to protect the Judiciary and the Judges, the meeting resolved, but at the same time it also requested the Hon'ble Judges, not to give any opportunity to such people to criticize them; some former judges are criticizing the institution frequently.

-: D E M A N D S :-

The resolution passed in the Joint Meeting unanimously resolved to launch an agitational programe at All India level to press the **following genuine demands of the lawyers:-**

1. All the Bar Associations of the country should have, Chamber, adequate building/accommodation/sitting facilities with well equipped Libraries, e-libraries, with internet facilities, toilet etc. and separate sitting & toilet facilities for lady advocates.
2. Budgetary allocation of Rs. 5,000/- crores for lawyers & litigants' welfare in Annual Budget of Union in order to implement following requirements.
 - a. Insurance cover for the Lawyers and their families (dependents).
 - b. Stipend for needy new entrants at the Bar upto 5years of their practice (Minimum Rs.10,000/- Per Month).
 - c. Financial protection to lawyers and their dependents in case of untimely death or incapacitation by reason of disease, accident, etc.

[This budgetary fund is to be managed by State Bar Councils under the leadership of Advocate General and Chairman of State Bar Councils as proposed by the Hon'ble Chairman, Bar Council of India in his letter to Hon'ble Prime Minister; the ratio to be distributed to different State Bar Councils shall be decided by Bar Council of India.]

[It is to be noted that Government of Telangana has provided a budgetary fund of Rs.100 crores for the lawyers' welfare in 2015: It has to also provide for an annual budgetary fund of Rs.10 crores every year. There are only about 25000 advocates in Telangana.]

3. Government should frame schemes to acquire lands at cheaper rates for the Housing of Advocates, (on the pattern of Haryana Government).
4. Legal Services Authority Act - Amendments & necessary changes should be made in the Act so that the functions under this Act could be discharged by the Lawyers (and not the Judges or Judicial Officers only).
5. All the Acts (which provide for appointments of retired Judges/Judicial Officers as the Presiding Officers/Member of different Tribunals, Commissions or Forums/Authorities) should be properly amended so that competent Advocates (and not only the Judges) could also be appointed on these places.

8th February, 2019

- A.** It has been resolved that Bar Council of India, all the office-bearers of all State Bar Council and the office-bearers and members of different High Court Bar Associations as well as Supreme Court Bar Association and Supreme Court Advocates-on-Record Association. shall hold **Press Conference on 6th February 2019** and the **RESOLUTIONS** taken on 02.2.2019 shall be highlighted in the press media and electronic media by all the State Bar Councils and Associations on or before **8th February, 2019**.

11th February 2019

It has further been **RESOLVED** that every Bar Association of the country shall hold its General Body meeting on **11th February 2019** in their Associations and there shall be an awareness drive amongst the legal fraternity with respect to the above stipulated demands of the legal fraternity. The meeting of Bar Associations therein shall pass their resolutions.

The resolutions will be addressed to Hon'ble Prime Minister of India and it will be handed over to the local Collector with copies to the Member of Parliament, District Judges and the State Bar Councils and Bar Council of India.

The Members of Bar will go to Collectorate in a procession (with full dress) between 1.00 pm to 2.00 pm. The electronic and print media should be invited to cover the “**MARCH**” and the video should be highlighted in social media too.

12th February 2019

- B.** It is further **RESOLVED** to hold a nationwide demonstration/Protest March at respective State headquarters **on 12.2.2019** where maximum members of all the Bar Associations of the State High Court Bar Associations would assemble together at State Headquarter and stage a march/demonstration from the premises of High Courts to the respective Governor Houses at 12.30 pm. The Lawyers will be in their full dress at the time of **PROTEST -MARCH**. The **“MARCH”** will be peaceful and in decent manner.

For the State of Uttar Pradesh, Madhya Pradesh, Uttrakhand, Kerala, etc where the State capital does not have the High Court, the procession will start from the premises of Principal Civil Court or from the Bench of High Courts (Lucknow Bench), State Capital, as the case may be.

**FOR DELHI, National Capital Region (NCR) and Punjab and Haryana
(12th February 2019)**

The gathering of advocates of Delhi & NCR (including Meerut, Ghaziabad, Nodia, Sonipat, Rohtak, Faridabad, etc.) the members of Supreme Court Advocates-on-Record Association; Delhi High Court Bar Association; and the Members of bar from **Punjab & Haryana Bar Council** (All Bar Associations), shall assemble at **Patiala House on 12.2.2019 at 12.30 AM and stage a protest "MARCH" to JANTAR MANTAR**. The memorandum shall be given / sent to Hon'ble President of India.

6. The Bar Council of Delhi, the Supreme Court Bar Associations; Delhi High Court Bar Association and the Co-ordination Committee of Bar Association of Delhi are requested to make all the necessary arrangements to ensure the success of **“PROTEST – MARCH”** on **12th February, 2019;**

The Hon'ble Chairman, Bar Council of India will constitute steering committee for N.C.R. in consultation with Bar Council of Delhi and Co-ordination Committee of Bar Association of Delhi, Supreme Court Bar Association and High Court Bar Association, Delhi.

All the newly elected Hon'ble Member of Punjab and Haryana, Uttar Pradesh Bar Council, Tamil Nadu Bar Council, Maharashtra & Goa Bar Council (and all other places where office-bearers are yet to be elected) be requested by the office of Bar Council of India to make arrangements and to ensure proper implementation of these resolutions. The special committees (if any) shall extend its full cooperation to the newly elected members/steering committees for making the agitational programme successful.

Supreme Court Bar Associations and High Court Bar Associations:-

(12th February, 2019)

Several representatives of different State Bar Councils, and High Court Bar Associations expressed their anguish that Supreme Court Bar Association normally does not actively participate in the agitational programmes decided by Bar Council of India or Joint Meetings of State Bar Councils for rights, privileges or welfare of Lawyers : The Joint meeting requested the Executive Committee of Supreme Court Bar Association and the Hon'ble Members of Supreme Court Bar Associations to consider the pitiable conditions of the Lawyers of the country. Even most of the members of Supreme Court Bar Associations are facing serious difficulties in their survival at Delhi: while Advocates from few elite class are living lavish lives, taking all the benefits, they get 75% of briefs, they succeed in getting empanelled in Govt., panels, and getting appointed as Judges; the Lawyers coming from poor and middle class families (the common Lawyers) are facing a lot of difficulties in earning their livelihood (even after having all the merits and intellect.) It appears that the system is meant for only a few wards of big Lawyers, Judges or politicians.

The Joint meeting has resolved to request the Supreme Court Bar Association and Bar Association of Delhi High Court, other High Courts to actively support the causes of Lawyers and the programmes to protect the rights and privileges of Advocates of the country.

The Hon'ble Members of Executive Committee of Supreme Court Bar Association are to do the needful for the success of 12th February, 2019 programme : Hon'ble Chairman, Bar Council of India, who is also a Senior Advocate in Supreme Court and a Member of Supreme Court Bar Association, assured the meeting that the present Executive Committee and office-bearers of Supreme Court Bar Association, Supreme Court Advocates-on-Record Association and Delhi High Court Bar Association have very sensible leaders of the Bar and they believe in fighting for the causes of Lawyers; they will certainly take all necessary steps to make the programme a grand success.

7. The Hon'ble Chairman, Bar Council of India is authorized to constitute a statewise steering committee to manage and implement the orders/resolution of the agitation. The special committees of the State Bar Councils/ State Bar Councils shall fully cooperate with the member of Steering Committee and shall provide the adequate facilities and financial resources to this Committee in order to make the agitational programme a grand success.
8. The expenses of protest at Bar Association level shall be borne by the respective Bar Associations. The transportation from concerned places to State Capital for the Members of the Bar Associations shall be provided by the respective Bar Associations.

9. The Joint Meeting also decided to authorize Hon'ble Chairman, Bar Council of India to meet the leaders of all the political parties including the Hon'ble Prime Minister and other Union Ministers, Hon'ble Mr. Bhupinder Yadav, (Member of Parliament) to ventilate the demands and causes of advocates. Hon'ble Chairman is authorized to meet the leaders in a delegation (of leaders of the Bar) to be decided by him.

And

10. The expenses for breakfast, lunch, water, tea, etc., for **12th Feb, 2019** shall be borne by the concerned State Bar Councils.
11. The State Bar Council will make arrangements for the proper publicity, banners, posters, hand bills and other materials and all the expenses on these items shall be borne by the State Bar Councils from their funds.

Sd/-
[MANAN KUMAR MISHRA]
Chairman
Bar council of India