THE BALOCHISTAN LEGAL PRACTITIONERS AND BAR COUNCIL RULES, 2020

Preamble

*Conscious qua sections **13** & **55** of Legal Practitioners & Bar Councils Act 1973 and by conceiving and exercising the powers as conferred under sections **9** & **56** coupled with sections **61&62** of Legal Practitioners & Bar Councils Act 1973, the Balochistan Bar Council, being the Provincial Bar Council, is hereby reframing its rules as under;*

Chapter 1:

1. Short Title, application and commencement.....

i- These Rules have been approved by the Balochistan Bar Council in its meeting dated11-05-2020 held at its Office situates at Annex Building of Balochistan Bar Council.

ii- These Rules shall be called as Balochistan Legal Practitioners and Bar Council Rules, 2020.

iii- These Rules shall be applicable to all segments, organs, entities, legal fraternity and concerns of Legal Practitioners & Bar Council Act 1973, falls within the purview of the Province of Balochistan.

iv- These Rules shall come into force at once and from the day of its approval i.e.

Chapter 2:

2. Definitions.....

Notwithstanding anything contained in any other law, except Legal Practitioners & Bar Council Act, 1973, and, unless there is repugnant in the subject or context; -

a. **"Act"** means the "Legal Practitioners & Bar Council Act 1973(Act XXXV of 1973);

b. **"Accounts"** means any type of accounts of Bar Council;

c. **"Assets"** means property and holding of Bar Council and in case of recognized bar association the property and holding of that bar association.

d. **"Advocate"** means a person whose name has been entered in respective rolls of the Advocates maintained by Balochistan Bar Council with mandate to act & plead in legal proceedings and adjudication on behalf of others;

e. **"Advocate General"** means the Advocate General of Balochistan;

f. **"Appendix"** means the annexure or appendix with these rules and it shall also be treated as part and parcel of these Rules;

g. **"Bar Council"** means "Balochistan Bar Council;

h. **"Bar Association"** means a "Bar Association recognized by the Balochistan Bar Council";

i. **"Books"** means Books and Registers maintained by Balochistan Bar Council under these rules;

j. **"Chairman"** in context with the Bar Council Means Chairman or Chairperson, as the case may be, the Advocate General Balochistan while in relation to the committee means Chairman or Chairperson, as the case may be, of the respective committee;

k. **"Committee"** means the committee constituted by Bar Council comprising of its members under section 10(1) & 10(3) of the Act towards affairs and dispensation of Bar Council's functions;

l. **"Elections"** means elections of any office amongst the members;

m. **"Employee"** means employee of The Bar Council;

n. **"High Court"** means Balochistan High Court including its benches;

o. **"House"** means the quorum of the members of Bar Council in its meeting;

p. **"Inventory"** means assets/articles & goods of Bar Council and in relation of recognized bar association the property and holding of that bar association in its ambit;

q. **"Law officer"** means any advocate or legal practitioner who subject to specific and regular income has curtailed his practice limited to the benefit of any specific juristic person.

r. **"Legal Practitioner"** means the advocate having active and valid license issued by Bar Council and also having membership of any Bar Association recognized by Bar Council"; as well as regularly appearing before any court of law established in Pakistan.

Provided in case of any objection on him not to be a regular practicing advocate, the same on demand by the bar council submit order sheets, order, or judgment showing his appearance at least three in each month, or such powers may be delegated to the presiding officer by the bar council with regard of verification at the time of election.

s. **"Member"** means the elected member of Bar Council under section 5 of the Act and also includes who fills the vacancy under section

16(b) of the Act but does not include the Chairman of Bar Council;

t. **"Meeting"** means meeting of Bar Council in its House or meetings of any committee of Bar Council;

u. **"Minutes"** means proceedings or decisions carried or conducted or taken by the Bar Council or its Committees in the meetings;

v. **"Misconduct"** means the professional misconduct of an advocate or legal practitioner which would not be warranted in discharge of his professional duties, assignments or entrustment by his client, any act or omission during court proceedings punishable by any law and violations of Act and Rules whilst other misconduct of an advocate would means exploitation of professional engagement with ulterior motives and personal gain by illegal manners.

w. **"Prescribed"** means provided by The Act or prescribed by the Rules;

x. **"Proceedings"** means proceedings and decisions conducted or taken or resolved by Bar Council in its meeting;

y. **"Property"** means property of Bar Council ;

z. **"Balochistan Bar Council"** would means that as prescribed in section 5 of the Act" which also include its quorum of the house in its meeting;

aa. **"Rules"** means Balochistan Legal Practitioners and Bar Council Rules, 2020;

bb. **Roll"** means roll of advocates High Court and other advocates prepared, managed, compiled and maintained by Bar Council;

cc. **"Secretary"** means the natural person appointed by Bar council as Secretary which also include any other natural persons to whom all or any of the functions of the secretary, for time being are entrusted by Bar Council;

dd. **"Trainee"** means the person qualified under section 26 of the Act and has joined eligible advocate for training under intimation to the Bar Council:

ee. **"Voter"**;

i. In context with the elections for the members; means an advocate whose name for the time being appears on the roll of the Balochistan Bar Council; ii. In context with the elections of any office of Bar Council means member;

iii. In context with the elections of the Bar Associations means a legal practitioner whose name for the time being appears on the roll of the Bar Council as well as upon the voter list of relevant Bar Association as eligible voter but shall not include the defaulter of Bar Council or the concerned Bar Association;

Provided that simultaneously no one can be the voter of more than one high court bar association / District or Tehsil Bar Association, however he may be the voter of High Court or District/Tehsil Bar Association, in the province of Balochistan The voter of any High Court Bar Association in Balochistan shall not be the voter of any other High Court Bar Association in the province.

Provided further that Defaulter Mean: -
An advocate whom is in default of bar council dues/ arrears as well as bar association dues of current/calendar year which must be cleared / paid before 31st May of the current year.
And Dues Means: -
The enrollment fee, annual fee, renewal fee, benevolent fund fee of the provincial bar council as well as concern bar association annual membership annual / renewal fee or any other arrears.

ff. **"Vice Chairman"** means the Vice Chairman or Vice Chairperson, as the case may be, of Bar Council elected amongst its members under section 6 of the Act;

Chapter 3:

3. Overriding Effect.....

The terms denoted and defined hereinbefore shall, wherever the context so permits, have the same meaning as assigned and shall have the overriding effect, save otherwise provided by the Act.

Chapter-4: - (56-A of the Act)

I-(MEETINGS OF BAR COUNCIL)

4.1. The meetings of the Bar Council shall be convened by the Chairman or in his absence by the Vice Chairman but first meeting of the term of Bar Council and election meeting for the election of the Vice Chairman's office shall be convened by the Chairman.

4.2. By virtue of Sections 4&6(4) of the Act, first meeting of Bar Council shall be held within one month from the commencement of term of the Bar Council whereas ordinary meetings shall also be convened provided that not more than two months shall elapse between any two meetings of Bar Council.

4.3. In first meeting of Bar Council, Vice Chairman shall be elected. At least one member would propose the name of any other member present and another member would second the nominee candidate. In case of more than one candidate, Chairman, by conceiving such nominations, managed to print ballot papers (5 in excess of total members) and on the same day hold elections for vice chairman. Elections shall be conducted through secret balloting. Soon after the poll, ballot box shall be open before the members and in assistance with Secretary, votes would be counted and The Chairman shall announce the total votes of each candidate and by announcing returned candidate, send for notification. Election material shall be kept with Chairman, who, in

case of no election dispute, may destroy the same after 90 days of the election.

Provided that if two leading candidates obtained equal votes and none could be declared as returned candidate, the election meeting shall be adjourned at once for reelection but not later than 07 days.

4.4. After electing the Vice Chairman, the house under the supervision of Chairman or Vice Chairman, on the same day, shall also constitute all other committees of Bar Council.

4.5. Whenever office of Vice Chairman becomes vacant, the chairman shall hold the election of Vice Chairman in accordance with section 6.8 of the
Act.

4.6. The meeting shall also be convened, if requisitioned by at least 1/3rd of total members.

Provided that requisition meeting, from the date of requisition, shall be convened within 10 days if requisitioned as an ordinary meeting or convened within 03 days if requisitioned as an emergent meeting.

4.7. All members shall be intimated along with agenda, at least 07 days before ordinary meeting, 05 days before requisitioned meeting and 02 days before emergent meeting.

4.8. Notice of meeting along with agenda shall be served to the members by the Secretary through ordinary mail (by hand or registered mail or courier) and also intimate the date & time through electronic media (email or WhatsApp or SMS or any other appropriate mode) while in case of emergent meeting only through electronic media, at least in two modes, in addition to telephone call.

4.9. Quorum of the meeting shall be 1/3rd of the total number of the members but where meeting of Bar Council could not be held for want of quorum it shall be adjourned to the next day or working day (as members present decide or decided by Chair) and in adjourned meeting the quorum shall be 1/4th of the total members of Bar Council.

4.10. Meeting of Bar Council shall be presided over by Chairman or in his absence by Vice Chairman and in absence of both; by any member voted by the majority of the members present.

4.11. Business and proceedings of the meetings shall be transacted in accordance with the agenda issued. However, with permission of the

Chair, any other matter including supplementary agenda, if any, would also be considered.

4.12. Decisions, except elections, shall be taken by majority votes of the members present and by show of hands. In case of tie, the vice chairman or the member chairing the meeting shall be entitled to a second vote.

4.13. All proceedings of the meetings of Bar Council may be camera proceedings and shall also be entered in a permanent book to be maintained by the Secretary, in the manner, prescribed by Bar Council. Proceedings of every meeting shall also be signed by the secretary and Chair of that meeting and shall also be put up for confirmation in next meeting. Deferred items if not deferred for any specific period shall be included in the agenda of next meeting.

4.14. Any member could submit requisition to secretary by addressing the chairman but at least 7 days before meeting and upon receiving, the secretary shall include the same in agenda and if agenda had already been issued, with permission of vice chairman circulate supplementary agenda.

4.15. After confirmation of proceedings of any meeting, it shall be scanned, published and shall be available for the inspection of the members at all working days.

4.16. Bar Council may rectify, alter, upheld, reverse, modify and enforce any decision or act of any committee constituted under sections 10(1) &10(3) of the Act.

4.17. Any Decision or proceedings of Bar Council shall not be reopened within 6 months, unless at least 1/3rd of the total numbers of the members make requisition in writing to that effect with reasons.

II-(CHAIRMAN, VICE CHAIRMAN AND SECRETARY)

4.18. Chairman of Bar Council, within the statutory assignment, shall be responsible for ensuring the compliance of the Act & the Rules and in appropriate or warranted matters, shall also be responsible for publication of notifications in official Gazette having nexus of Bar Council.

4.19. In absence of Chairman Bar Council, the Vice Chairman, shall have the same powers and functions of the Chairman; Vice Chairman shall be ex-officio member of every committee and shall be responsible for coordinating the functions of all committees; Vice Chairman shall

exercise control over the employees as well as functionaries of Bar Council and shall be responsible for smooth running of all affairs of Bar Council; Vice Chairman shall also be the custodian of assets and along with secretary or specified chairman of any committee, will also be the cosignatory of all accounts. Provided further that the Vice Chairman would have no authority to spend more than Rs. 50,000/- in a month in any head except utility bills, salaries of employees, expenses of meetings, honorarium, traveling allowances of the members and regular expenditures as already approved by Bar Council in annual budget or in any other meeting. Any extra expenditure would have no legal force or justification and shall be recoverable from the Vice Chairman.

4.20. For the compliance of The Act and Rules the Vice Chairman could perform any function of Bar Council and same shall be valid until deferred by the House.

4.21. All official statements and policies shall be announced by Vice Chairman or upon his instructions, by the Secretary.

4.22. There shall be a Secretary and may also be the additional and assistant secretaries of Bar Council to be appointed by Bar Council. In case of exigency; Chairman or in his absence by Vice Chairman; or in absence of both; the Executive Committee may nominate any person to discharge the functions of the secretary till the next meeting of Bar Council. Bar Council may endorse or abate such nomination.

Provided that if the matter of nomination would not be placed before Bar Council within 4 months, it shall cease its effect and nominated secretary automatically would become defunct.

4.23. The Secretary shall be responsible to regulate all employees, to maintain Books, accounts & minutes; to ensure compliance of decisions taken by Bar Council or its committees; to assist the members regarding record and mandate; to console the official communication; to issue notices of the meetings of Bar Council or its Committees and subject to **Appendix-A** to keep all running and active cheque books; to submit requisition for any financial activity required to be signed by Vice Chairman; along with vice chairman shall also be the co signatory of the accounts; to issue certificates, NOCs and verifications in prescribed manner. The Secretary shall also perform such functions, as entrusted by Bar Council including official communication but subject to approval of Bar Council or upon written direction of Chairman or Vice Chairman, as the case may be.

Chapter-5:- (56-B of the Act)

I-(COMMITTEES)

5.1 In virtue of Section 10 (1) of the Act the following statutory committees shall be constituted;

i. Executive Committee.
ii. Disciplinary Committee.
iii. Enrolment Committee.

5.2 That Bar Council by exercising the powers under section 10 (3) may also constitute the following committees.

i. Rules Committee.
ii. Benevolent Fund Committee.
iii. Finance Committee.
iv. Anti-Corruption Committee.
v. Publication committee
vi. Legal Education Committee.
vii. Lawyer's Welfare Committee.
viii. Land Acquisition & Hostel Management Committee.
ix. Seminar & Symposium Committee.
x. Free Legal Aid Committee.
xi. Human Rights Committee.
xii. Jail Reforms Committee.
xiii. Inter Provincial Bar Councils Relationing and foreign affairs Committee.

II- (CONSTITUTION OF THE COMMITTEES)

5.3 The Committees shall be constituted by Bar Council and if the Chairman of every committee has not already been elected by Bar Council, be elected by the members of the committee concerned.

5.4 That every committee constituted by Bar Council under section 10(3) of The Act shall not be comprised of more than 3 members, including the Chairman of that Committee.

5.5 Chairman of any committee constituted under section 10(3) by assigning specific designs may nominate one more member as co-opt member without entitlement of TA but subject to the consent of that member, and under due intimation to Vice Chairman.

5.6 The term of every committee and subcommittee, shall, at the most, be one year.

5.7 No member simultaneously would be the chairman of more than three committees except upon resolved agenda of Bar Council.

5.8 The committees shall have no powers to review, however may rectify any defect, error, typographic, arithmetic and clerical mistakes, by its own or upon pointation of any concerned.

III-(FUNCTIONS & PROCEDURE OF THE COMMITTEES)

5.09 Subject to the general supervision and control of Bar Council, in addition to the prerogative responsibilities entrusted under the Act and specific mandate given by Bar Council, the functions and procedure of the committees shall remain as under: -

5.10 Executive Committee:

a. *In absence of House or decision of the Bar Council, to supervise and deal with all executive matters regarding administration of Bar Council.*
b. *To implement the decisions of Bar Council.*
c. *To constitute any sub committee with regulations and to entrust such of its functions, as may be necessary.*
d. *Subject to settled fee, as decided by the Chairman of the committee and Vice Chairman, to institute, initiate and defend all types of litigation on behalf of Bar Council and for this purpose appoint any member as advocate and to depute agent or to authorize any employee to sign the pleadings, depose, verify, to make statements, to appear, to plead and to act on behalf of Bar Council but would have no authority to depose against larger interest of legal fraternity as well as Bar Council or to compound or waive or withdraw any sort of prosecution.*
e. *With written approval of Vice Chairman, to make provisional appointment of any employee and to get approval from Bar Council within 04 months otherwise such provisional appointments shall be abated automatically.*
f. *To recommend Bar Council qua qualifications, terms, appointments and conditions of the employees.*
g. *To initiate disciplinary proceedings against employees, to suspend any employee including the secretary, to appoint any member(s) as inquiry officer/committee in case of secretary and the additional secretary or to appoint any secretary or additional secretary in case of other employees.*

h. *Unless directed by Bar Council, to suspend, terminate, promote, demote and to dismiss any employee but through speaking and reasoned order.*

i. *To maintain the service record of employees and proceed to verify the testimonials of employees.*

j. *To recommend the parameters of recognition or derecognizing of Bar Associations.*

k. *In consultation with Vice Chairman and at least one member from concerned Division, to deal with any intra or inter disputes of the Bar Associations, representation of the Bar Associations, election disputes of the Bar Associations and between advocates and Bar Associations.*
Provided that in case of conflict between Bar Associations, the matter along with action or decision taken, shall be lead before Bar Council at its next meeting.

l. *Upon application from any voter of concerned Bar Association, subject to certain conditions and mandate appoint any member as election observer.*

m. *In case of delayed or reelection of any Bar Association, may appoint any member as Chairman Election Commission or to appoint election board but with certain conditions, mandate and instructions.*

n. *To deal and decide the matters pertaining to transfer of any voter from one Bar Association to other Bar Association.*

o. *By perceiving the indemnity in section 20 & 21(a) &(b) of The Act, to deal with the complaint filed against any office bearers of any bar association but subject to prescribed fee, fully depicted facts, supported by affidavit and 05 additional copies.*
Provided that if the complaint filed by any court, no such fee or affidavit would be warranted.

p. *To fix the fee regarding any grievance petition or matter, if not already prescribed.*

5.11 **Disciplinary Committee:**

a. *In accordance with Sections **39-B, 41,43,44&45** of The Act and chapter **14** of these rules; to deal with the complaints pertaining to the misconduct of the advocates and legal practitioners.*

b. *Upon application and subject to prescribed fee, sought verification of any advocates' educational documents.*

5.12 **Enrolment Committee:**

i. *In accordance with Act, Rules and Appendix, the committee shall deal and supervise the enrolment paraphernalia of advocates.*

ii. *The committee may also recommend the significance criteria of advocates' enrolment to Bar Council.*

iii. *To constitute any sub-committee to perform any specific function of the committee.*

iv. *To deal and decide the matters pertaining to transfer of an advocate from The Bar Council to other Provincial Bar Councils as*

well as Islamabad Bar Council and from other provincial Bar Councils of Pakistan including Islamabad Bar Council to The Bar Council.

5.13 **Rules Committee:**

i. *The committee shall finalize all proposals regarding the amendments in these rules and shall propose to Bar Council qua the fate of any regulation, proposed amendment and interpretation of rules or any other legislation.*

ii. *The committee may notify to Bar Council regarding any decision of Bar Council, if found contrary to the Act or rules.*

iii. *Suggest Bar Council to response every internal or external legal query or controversy.*

iv. *Any anomaly or overlapping paraphernalia of the committees shall be finalized by Bar Council but upon the recommendations of the committee.*

v. *The regulations regarding any sub-committee or any sort of Rules, memorandum and regulations shall be based upon the endorsement of the committee.*

5.14 **Benevolent Fund Committee:**

i. *By conceiving the analogy of section 62 of the Act, the committee shall ensure the implementation of the section in its true spirit.*

ii. *To propose practical schemes for the investment, disbursement and adjustment of the fund as well as accounts.*

5.15 **Finance Committee:**

i. *To ensure the transparency of utilization of the funds strictly in accordance with the Act, Rules and budget.*

ii. *To prepare annual pre budget before 1st June of every year and present the same before Bar Council with advance copies, to be made part and parcel of the agenda of ordinary meeting of Bar Council.*

iii. *To suggest or recommend the necessary expenses for the committees and for the functions of Bar Council.*

iv. *To allocate reasonable funds for all committees with separate heads, if feasible.*

v. *Report the Bar Council by pointing out the unauthorized and unwarranted expenses.*

vi. *To recommend the sustainability and maintainability of the assets and inventory of Bar Council.*

vii. *To arrange and recommend the internal and external audit on annual basis. The external Audit shall be conducted through Chartered Accountant, duly approved by the Bar Council whilst Chartered Accountant shall means as conceived by the relevant laws.*

viii. *To segregate the bank accounts for separately approved and prescribed purpose.*

ix. To make audit of the recognized bar associations and to report Bar Council for needful.

x. To scrutinize all the financial liabilities of Bar Council along with investments and inventory.

xi. To upgrade the list of inventory by specifying the normal life of each article of inventory.

xii. To advise regarding investment and disbursement of funds in any Government institute, National Savings Centre or scheduled banks in Pakistan but by considering bank's capital and share price in last three years.

xiii. Shall maintain Cash Book and all vouchers.

xiv. To keep all consumed cheque books as much as statement of all accounts.

xv. To ensure the preparation of balance Sheets by specifying income and expenditures on daily basis, duly signed by the Secretary and affirmed by the committee in its each meeting.

xvi. To present comprehensive statement of accounts before Bar Council in each meeting by specifying all income, deductions and expenditures.

xvii. In accordance with section 57 of the Act, suggest all modes to avail grants.

5.16 **Anti-Corruption Committee:**

i. To ensure qua elimination of all sorts of corruption & corrupt practices in Bar Council, Bar Associations and employees.

ii. To recommend Bar Council for any appropriate action against any type of corruption.

iii. In case of fake lawyers or the advocates having forged documents, to proceed and recommend for prosecution.

iv. Upon any application or information, inquire the unauthorized advocates whose licenses got or issued against the Act and rules or have become dormant by virtue of service or any other reason.

v. To receive complaints against lower judiciary and if satisfied, refer to the Registrar High Court through Secretary.

*vi. To prepare the list of fake lawyers, touts and advocates who despite joining service have not applied for the suspension of their licenses within **06** months of joining service or who suppressed their disqualification by giving false certificate and has managed to obtain license as an advocate.*
Provided that the list would be submitted to Bar Council and may also be circulated, if decided.

vii. To make subcommittees with specific mandate and regulations.

viii. After due hearing the concerns by following the procedure of disciplinary committee mention in the Act and Rule 14.6 to Rule 14.8, if not being the matter of misconduct rather based upon illegal issuance of license, the committee, either upon request of

fake lawyer or by its own, may direct the office to remove the name of fake lawyer from role of advocates or from voter list of any Bar association, as the case may be".

5.17 **Publication Committee:**

i. To decide, defer, refer and publish all types of public declarations made by Bar Council.

ii. To publish the diaries for advocates and subject to payment, arrange the infrastructure qua circulation and sale.

iii. To publish the decisions of Bar Council and requested decisions of the committees.

iv. To publish ideas for promotion of legal education & practice, activities and suggestions of the advocates and for the betterment of law, justice & human rights.

v. To publish and circulate the annual calendar by clear depiction of the declared public holidays.

5.18 **Legal Education Committee:**

i. To ensure the prescribed criteria of admission as an advocates either advocate High Court or other advocates.

ii. To suggest any step necessary for the promotion of legal education.

iii. To suggest, recommend and plead the illegalities, irregularities and working paraphernalia of the law colleges in the province.

iv. To lodge appropriate legal proceedings against all unauthorized law collages and unwarranted claims qua legal education.

v. Subject to regulations, to promote advocates' practical training.

vi. To suggest the legal criteria of internship, issuance of license, set syllabus of written examination, supervise the examination and to issue result cards of that examination.

vii. To arrange or coordinate written examination and credit hours towards the admission and practice of the advocates.

viii. To inspect every law college at least twice in an academic year and if necessary, report to all regulatory and concerned Bodies/Authorities.

5.19 **Lawyer's Welfare Committee:**

i. To ensure the compliance of section 61 of the Act and to ensure the general welfare of legal practitioners in accordance with the Act and Rules.

ii. To propose the infrastructure of medical facilities and medical grants to the advocates.

iii. To manage and settle with investment, collection and disbursement of Group insurance.

iv. To proceed with the accommodations of advocates either in terms of multistory buildings or cooperative Housing Society.

v. To search, sought, manage and settle the advocates in companies incorporated in Pakistan, promote The Advocates Act and to create opportunities throughout the world.

vi. To aware the advocates qua their adjustments as panel advocates, legal advisories and fields of adjustment.

vii. To settle and promote the educational paraphernalia of advocates' children.

viii. For medical, Housing, welfare, adjustments and education purposes, mentioned supra, to enter into any lawful contract with the concerns.

5.20 **Land Acquisition & Hostel Management Committee:**

i. To manage, run and maintain the affairs and business of Lawyer's Hostel as much as boarding facilities.

ii. To trace, suggest and proceed with the land acquisition for lawyer's Hostel(s), residence and investment.

iii. To propose, suggest, extract and deposit approved amounts for requisition and acquisition as requesting agency.

5.21 **Seminar & Symposium Committee:**

i. To arrange, hold and addressed with any kind of seminar and symposium having nexus with the functions of Bar Council.

ii. To facilitate other committees for the public declarations and holding seminars.

iii. To conduct symposium qua the working gewgaw of advocates in the province.

iv. To sustain the dispensation of justice through seminars and symposiums.

v. To make contact with any concern having nexus with functions of Bar Council with intent to promote any public cause.

5.22 **Free Legal Aid Committee:**

i. To make sub-committees for providing free legal aid to the deserving citizens limited to their fundamental rights.

ii. For obtaining succession certificates and declaration regarding legal heirs and in case of advocate's assassination, to provide free legal aid to the family of deceased advocates.

iii. To arrange the funds for the regular working of free legal aid committees.

5.23 **Human Rights Committee:**

i. To suggest and proceed against the elimination of exploitation at all levels.

ii. To point out and suggest the laws contrary to the fundamental rights and proceed towards implementation of fundamental rights as prescribed in Constitution of Pakistan.

iii. To hold the gatherings for awareness of human Rights.

iv. *To approach and collect the funds from donors and spent for the utmost and esteemed human rights.*

v. *To make sub committees for the procurement of human rights including to suggest any law to the legislation.*

5.24 **Jail Reforms Committee:**

i. *To ensure the implementation of Jail Manual, laws, Rules and Regulations having nexus with under trial prisoners and convicts.*

ii. *To make contact with Provincial Judiciary, Jail Authorities, Inspector General Concern, Home Secretary and Government Designatories including provincial law minister for inspection of Jails and to report qua Jail Reforms in accordance with law.*

iii. *To propose amendments and suggestions in laws concerning jails and prisoners (under trial & Convicts).*

iv. *Especially emphasize the education and permitted courses including legal awareness to the juvenile offenders and convicts.*

v. *To arrange lectures in jails upon healthy legal society.*

5.25 **Inter Provincial Bar Councils relation and Foreign Affairs Committee:**

i. *To make contact, consult and exchange any issues of interest with the other bar councils in Pakistan as well international community limited to the interests of legal fraternity and pass any declaration regarding working patron and problems to advocates in Provincial Bar Councils in Pakistan.*

ii. *To arrive at consensus with other Provincial Bar Councils in Pakistan and Islamabad Bar Council upon uniform functional atmosphere and to overcome any sort of hardship in that regard.*

iii. *To ensure the elimination of exploitation and curtail the cumbersome hyper technical objections qua shuffling or transposing the advocates in other Provincial Bar Councils in Pakistan and Islamabad Bar Council, in accordance with Act, Rules and policies.*

iv. *To join or arrange the joint or common meetings with other bar councils but subject to agenda of common interest of advocates.*

v. *May contact international community or to arrange meetings or to suggest any Seminar or Symposium with international community but such seminar or symposium if proposed in Pakistan, shall be arranged through Seminar & Symposium Committee.*

Provided further that if under section 10(3) of the Act, any aforementioned committee would not be constituted, Vice chairman may entrust such functions of non existing committee to any of the statutory committee and till then the executive committee shall perform the functions of non-constituted committee.

Chapter-6: - (56-C of the Act)
(MEETINGS OF COMMITTEES)

6.1 The monthly meetings shall be convened by the Secretary upon the instruction of the Chairman of that committee or after lapsing 30 days from previous meeting upon requisition of 2 members of that committee.

6.2 The meeting shall be conducted once in each month and in case of emergency, another meeting in that month if requisitioned by 3 members of that committee.

6.3 All members shall be intimated along with agenda or at least brief agenda, 05 days before ordinary meeting or requisitioned meeting and 02 days before emergent meeting.

6.4 Notice shall be served to the members of that committee by the Secretary through social media (email or whatsapp/ etc or SMS) in addition to ordinary mail (personally or registered mail or courier) while in case of emergent meeting through social media, at least in two modes.

6.5 Meeting's quorum of the statutory committees constituted under section 10(1) of The Act shall be at least 3 members of that committee while the quorum of other committees constituted under section 10(3) of The Act, at least 2 members of that committee.

Provided that in all affairs relating to elections of Bar Associations including to transfer the vote of any legal practitioner , the quorum of executive committee shall be at least 04 members.

6.6 Meeting of the Committee shall be presided by the Chairman of that committee or in his absence by any member of that committee voted by the majority of the members present.

6.7 Minutes of the meetings shall be transacted in accordance with the agenda issued and followed.

6.8 All decisions shall be taken by majority votes of the members present and by show of hands. In case of tie, the chair shall be entitled to cast a second vote.

6.9 All minutes of the meeting shall be entered in a permanent book, to be maintained by the secretary in the manner prescribed by Bar Council

or Chairman of that committee. Minutes of every meeting shall also be signed by the secretary and Chairman of that committee and shall be put up for confirmation in next meeting of the committee.

6.10 After confirmation of minutes of any meeting, it shall be scanned, published and available for the inspection of the members; free of cost; in all office timings.

6.11 Any decision taken by the statutory committees, constituted under section 10(1) of The Act, shall not be reopened or recalled by that committee.

6.12 The decisions taken by the committees constituted under section 10(3) could be recalled, if, at least 3 members of that committee make requisition in writing to that effect with reasons.

6.13 In case of vacuum in Rules, the Chairman of the committee, in writing, may opt any appropriate procedure or may refer the matter to Bar Council. No decision of the committee shall have any effect if found contrary to the Act or the Rules or proceedings of Bar Council.

6.14 Every Committee of Bar Council shall present its working report before ordinary meeting of Bar Council but not later than four months of confirmation and in case of non-compliance, Bar Council may suspend the said Committee or may reconstitute the delinquent committee.

6.15 No sub-committee would be constituted unless all members of the concerned committee unanimously decided.

Chapter-7:- (56-D of the Act)

(Employees of Bar Council)

7.1 Within 6 months from the approval of these rules, the Executive committee shall determine the qualifications, terms and conditions to its employees.

7.2 Till the aforementioned and warranted determination, the employees shall be regulated in accordance with the existing Bar Council's Employees Service Rules.

Chapter-8: - (56-E of the Act)

(Management, Administration, Utilization& Investment of the Funds of Bar Council)

8.1 The office timings shall be from 8:00 am till 3:00 p.m. and during the Month of Holy Ramadan from 8:30 am till 1:30 p.m. or as prescribed by Bar Council.

8.2 Bar Council through its Executive Committee shall manage, administer and perform its functions in accordance with the Act, these Rules and as prescribed by its House but Executive committee shall not disturb the mandate of any other committee.

8.3 Bar Council may segregate its administration by establishing as many as sections including Finance, Enrolment for other advocates, Enrolment for advocates High Courts, Information Technology, group insurance, benevolent fund and Misconduct section.

8.4 There shall be properly designed, organized and secure record rooms (without using perishable and inflammable material) wherein record of Bar Council, Registers, files of advocates and Rolls of advocates shall be kept safe.

8.5 Upon recommendations of finance committee as well as relevant committee and approved by Bar Council all investments shall be carried and made through its Vice chairman and shall be utilized as prescribed or approved.

Chapter-9:- (56-F of the Act)

(Separate Funds for Special Purposes)

9.1 Bar Council shall maintain separate funds and separate accounts for enrollment, benevolent, group insurance, general purposes, seminar and symposium, publication, salaries of employees, payment of utility bills, lawyers hostel (if any), amounts regarding fees against complaints, fee of certificates, fee for the registration of lawyers' firm, grants to Bar Associations and any other fund, as deems fit.

9.2 Accounts shall be maintained with Sate security financial institution or any schedule bank by considering its capital, business, share value and incentives but all accounts shall not be sustained with sole bank.

9.3 Separate bank accounts shall be managed including Hostel Management (if exist), General fund, Publication, Seminar & Symposiums, Benevolent Funds, Lawyer's welfare and for advocates training.

9.4 All funds shall be utilized from their respective accounts, as Bar Council decide or prescribe.

9.5 All financial activities or summaries shall be nourished from concerned committee, recommended by finance committee, referred by secretary and jointly signed by the vice chairman and secretary whilst in case of seminars and symposiums, also signed by the Chairman of Seminars and Symposiums Committee; in case of Hostels management, also signed by the chairman of Land Acquisition & Hostel Management Committee; in case of publication also signed by the Chairman of Publication Committee, in case of Benevolent fund also signed by the Chairman of Benevolent Fund Committee; in case of group insurance and grants for lawyer's welfare, also signed by the Chairman of Lawyer's Welfare Committee; and in case of Legal education also signed by the Chairman of Legal Education Committee.

9.6 A member, if attends the prescribed meeting of Bar Council or Committee or any meeting called by Pakistan bar council or other provincial bar council or any department or authority shall be entitled to received T/A and D/A allowance.

9.7 The amount per kilometer shall be calculated and suggested by the finance Committee in every annual Budget but not less than Rs. 8,000/ and shall be determined and approved by Bar Council in every year or in the light of prevailing rate in the government institution of PBS 21.

Chapter-10:- (56-G of the Act)

(Maintenance of Books)

10.1 Bar Council shall maintain the following books; -

*a. Diary Register (hereinafter called as **Register-1**) through which all incoming external correspondence and letters shall be received against distinguished numbers i.e RExt/name of the sender/PBC/Reg-1 /serial number of the register/date of receipt/month/year (e.g;01/01/18).*

*b. Dispatch Register (hereinafter called as **Register-2**) through which the received correspondence and letters shall be disbursed to different*

sections against distinguished number initiated from RExt/name of the sender/PBC/Reg-2/serial number of the register/date of disbursement/ month/year (e.g;02/01/18).

c. *A dispatch Register (hereinafter called as **Register-3**) through which all outgoing correspondence be done with identical number i.e SInt/name of the addressee/PBC/Reg-3 /serial number of the register/date of receipt/month/year (e.g;03/01/18).*

d. *All Sections shall also maintain its own dispatch and diary registers called as **Registers No.4&5** and all correspondence shall be regulated with specific number "R" for received "D" for Dispatched/name of the section/PBC/Reg-3 or 4 /serial number of the register/date of receipt/month/year(e.g;04/01/18).*

e. *All sections shall also maintain **Register No.6** wherein daily activities shall be reduced into writing on daily basis including movement of files, income and expenditures.*

f. *Every committee shall also maintain **Register No.7** for its minutes by specifying the name of the committee and shall be signed by the secretary and the chairman of that committee.*

g. ***Register No.8** shall keep the minutes of Bar Council.*

h. ***Register No.09** shall depict the summary of requisitions by the members and decision by Bar Council.*

i. ***Register No.10** shall be kept for the decisions of Bar Council sent for publication.*

j. ***Register No.11** shall maintain the record of advocates who either surrendered their license or whose name duly been removed by Bar Council or against whom Bar Council or any of its committee or tribunal has decided finally to be disqualified qua enrollment as an advocate.*

k. ***Register No.12** shall sustain the record of litigation far and against Bar Council by specifying the representative of Bar Council and advocate/pleader against each case coupled with the date of orders of Bar Council or its committees. In addition to secretary, the chairman executive would also sign and acknowledge the record.*

l. ***Register No.13** shall be kept for all consolidated income to Bar Council under different accounts, heads and grants.*

m. ***Register No.14** shall furnish the consolidated expenses incurred by Bar Council coupled with approval of each expense and date of approval.*

n. ***Register No.15*** *shall brief the contribution to Pakistan Bar Council with proper depiction.*

o. ***Register No.16*** *shall entail the daily total income and daily sum of expenditures.*

p. ***Register No.17*** *shall furnish the information regarding grants to Lawyer's welfare or benefit and Bar Associations.*

q. ***Register No.18*** *shall depict the applications for the Firm of lawyers, dates of receipts, amount received and its fate.*

r. ***Register No.19*** *shall specify the applications received regarding misconduct of advocates' along with date of receipt, date of disposal and reason for dormant status.*

s. ***Register No.20*** *shall bear the expenses upon meetings, traveling allowances to members and discretionary expense incurred by the Vice Chairman.*

t. ***Register No.21*** *shall contain the names of advocates at Roll of Bar Council as other advocates with specific registration number and numbers of any other privilege including benevolent fund and group insurance etc.*

u. ***Register No.22*** *shall contain the names of advocates at Roll of Bar Council as advocates High Court with specific registration number and numbers of any other privilege including benevolent fund and group insurance etc.*

v. ***Register No.24*** *shall contain the income, expenditures and all financial activities of Benevolent Fund committee.*

w. ***Register No.25*** *shall contain the income, expenditures and all financial activities of Lawyer's Welfare Committee.*

x. ***Register No.26*** *shall contain the income, expenditures and all financial activities of publication committee.*

y. ***Register No.27*** *shall be kept with record keeper, to be maintained under supervision of Chairman Executive, for proper depiction of record. The same shall be inspected and signed by the Secretary and the chairman Executive after every 04 months.*

z. ***Register No.28*** *would entail the record of intimation received against receipt with numbers i.e., INT/PBC/Reg-28/name of District or Tehsil*

/serial number of the register/date of receipt/month/year (e.g;04/01/18).

10.2 All registers shall, at its 1st page conation its title, Register Number, number of book used for such Register, its nature, purpose and certificate that the register contains total pages excluding title page and 5 pages' reserve for index.

10.3 All registers shall be properly page marked and be kept and signed by the secretary or concerned section officer. Every page of every register shall be signed with date of its signing.

10.4 Registers No.**8,9&10** shall also be inspected and signed by the vice chairman on quarterly basis.

10.5 Register No.**13** to **18** and **20** shall also be signed by the chairman finance committee while Register No.**11** & **18** shall be signed by the chairman disciplinary committee on quarterly basis.

10.6 Register No.**23** to **26** shall also be signed by the chairman of the concern committee on quarterly basis.

10.7 Registers No. **21&22** shall also depict all certificates issued upon request of that advocate, any complaint qua misconduct coupled with its final outcome with dates and change of membership history from one bar association to other bar association.

10.8 All additions, deletions, modifications and corrections in Registers No. **21&22** shall be communicated to High Court within **6** months.

10.9 Register **No.22** shall also disclose the certificate issued for the admission as an Advocate Supreme Court and the date of enrolling with Pakistan Bar Council.

10.10 Register No.**21&22** shall be maintained District-wise or at least separate volume for separate division and also be signed by the chairman enrolment committee after every 2 months.

10.11 The details of Registers No.**11, 21 & 22** shall be public and shall be updated upon official website of Bar Council.

10.12 All record of Bar Council and registers shall also be preserved by scanning with secure and sound backup and recovery set up.

10.13 After completion of every register all signatories shall certify that upon which date the said register having serial numbers from first to last summed up and recommended for consignment to record room.

Chapter-11:- (56-H of the Act)

(Audit of Accounts)

11.1 Financial statement of Bar Council shall be presented before Bar Council after every four months.

11.2 Within 2 months after the expiry of financial year, Bar Council shall proceed to conduct internal audit through any of its employee under supervision of deputed member or members and in coordination with chairman finance committee.

11.3 After expiry of each financial year, an annual external audit shall be conducted within next 4 months by any Chartered Accountant, acknowledged by Law and engaged by Bar Council, in case of non-compliance of this rule, all the financial decision taken in last financial year deemed to be illegal.

11.4 The secretary shall ensure the access of deputed Chartered Accountant to all registers, accounts, receipts, vouchers, inventory and assets.

11.5 As soon as the report of the Chartered Accountant would receive, the secretary shall, with immediate effect but not later than 07 days, furnish its copies to all members and also make part of Next meeting's agenda.

11.6 The Audit Report and its outcome shall also be furnished before Chairman, Vice Chairman, Chairman Finance Committee and Chairman Rules Committee for further necessary actions and needful.

11.7 The report of the Chartered accountant along with mandatory reports evinced in 11.6, shall be taken in meeting of Bar Council as first priority in agenda and house shall determine its fate, veracity, scope and consequences.

11.8 The Bar Council may approve the audit report or may recommend for another audit and report. In case of second report, the procedure prescribed in Rule No.11.6&11.7 shall be followed again.

11.9 The approved audit report shall also be published, uploaded upon official website, within one month of the approval and would be public record.

Chapter-12:- (56-I of the Act)

(Course of Practical Training in law, examination and admission as an advocate)

12.1 A person, subject to Act & Rules and qualification under section 26 of the Act may make an application coupled with affidavit in accordance with **Appendix-B** and prescribed fee for the intimation, practical training and written examination mandatory to be enrolled as an other advocate.

12.2 The aforementioned application, in terms of intimation, applicant shall attach his/her attested copy of CNIC; certificates of passing law degree; 02 passport size photographs attested by trainer advocate from the back side; and the certificate of trainee affiliation from the eligible advocate as specified in Rule 12.3.

12.3 No advocate shall issue certificate of intimation to Trainee advocate if not having at least 10 years' continuous practice from his license. For determination of such criteria copy of the trainer advocate's license would be furnished along with intimation as well as application for enrolment as an advocate.

12.4 No advocate shall issue certificate of intimation for more than 3 trainees within 6 months from 1st intimation to last whilst in case of advocate Supreme Court, not more than 5 trainees, vice versa.

12.5 A trainee may take training from more than one eligible advocate to complete prescribed training period and initial intimation shall be signed by the applicant and the trainer advocate.

12.6 The date of intimation shall be considered from the date of receipt and if specified earlier then shall not be considered beyond 30 days prior to the application.

12.7 The training shall not be commenced unless trainee has passed the law degree (Result cards would be the sufficient proof of passing).

12.8 The application/ intimation shall place before enrollment committee for regulating the written test, as prescribed by Act or Pakistan Bar Council or in accordance with the criteria, set by the committee.

12.9 The Secretary shall proceed with the verification of testimonials of the applicant with immediate effect.

12.10 The written examination of trainees, if would not be supervised under direction of High Court or Supreme Court, may be conducted quarterly and at Divisional Headquarter Level through Legal Education Committee or its sub committees comprising of the members elected from the concerned Division.

12.11 The written examination, if conducted under supervision of Bar Council, would be in form of only one paper comprising of objective type/multiple choices and shall also be limited to **Criminal Procedure Code 1898** (Chapter No.II to V,XII to XX, XXII & XXII-A, XXIV to XXXII, XXXIX,XLI to XLIII and XLVI), **Civil Procedure Code 1908** (All sections, Order I,II,V to IX, XVIII to XXI, XXXVII, XXXIX, XLI & XLIII), **Qanoon-e-Shahadat** Order 1984, **Limitation Act** 1908, Sections 9,24,25,26,27,28,28-A,41,56,58,61 and 62 of The **Act**, Chapter **XII** of Pakistan Legal Practitioners & Bar Council **Rules,1976**, Chapter **12** of theses **Rules** and Chapter No.**1&2** of The Constitution of Pakistan,1973.

12.12 The Legal Education Committee, unless barred by The Act or superseded by High Court or Apex Court, shall prepare questioner; and conduct and supervise written examination and issue results within 15 days from the written examination.

12.13 The Legal Education Committee shall be competent to issue any instructions; duly published by publication committee and uploaded upon official website of Bar council before its implementation; for holding written examination and other allied matters.

12.14 The passing marks of written examination shall be 50% and results shall be uploaded upon official website of Bar Council and shall also be dispatched to the candidates/applicants/participants through registered or courier post.

12.15 The applicant who despite filing intimation would not qualify written examination, due to any reason, for 24 months from intimation date, shall not be entitled to reappear in written examination and such intimation shall lapse with immediate effect.

12.16 The training of the trainee shall be for continuous **6** months and if the education of the trainee not having **17** years of education including Law Degree or equal certificate, shall be continuous for **12** months.

12.17 No applicant shall be exempted from training, however the applicant who obtained more than 75% marks in law degree shall be exempted from written examination.

Chapter-13: - (56-J&K of the Act)

(Admissions of Advocates)

13.1 After completion of prescribed training and passing the written examination, the applicant in lieu of sections 24,25,26& 28-A of the Act, may apply to become advocate in accordance with **Appendix-C** and prescribed fee.

13.2 The application **Appendix-C** shall contain certified copies of all educational documents of the applicant; Copy of CNIC; 03 passport size fresh pictures of the applicant with blue back ground; back sided attested by his trainer advocate, affidavit qua genuineness of particulars, undertaking that he shall become member of any bar association within 6 months after acknowledging as an advocate; certificates from 2 advocates other than trainer regarding the assurance of such training and good conduct of the applicant during training, original bank vouchers of deposits, fresh certificate from Trainer advocate(s) qua completion of training, at least summary of **20** cases list duly signed by the trainer with certificate that the trainee assisted in those cases and copy of trainer advocate's license.

13.3 Upon receiving the application, the secretary, upon top priority basis, shall report qua verification of testimonials of the applicant if had not verified earlier, result of written examination, payment of prescribed fee, eligibility of the applicant, satisfaction of his training, qualification under section 26, disqualification under section 28-A and disqualification under Act, these Rules and under any other Federal statute.

13.4 An application shall not be proceeded if the applicant found disqualified under The Act or Rules or if the applicant had surrendered

his/her license before any Bar council in Pakistan for any reason or has removed from roll of any Bar Council in Pakistan; or under the charge of misrepresentation being advocate or forgery revolving around his/her educational testimonials any trial or appeal remained pending or had been convicted.

13.5 The application shall be presented before enrolment committee who itself or through examination committees comprising of the members elected from the concern Division, after via voice shall decide the application within 4 Weeks.

13.6 The Enrolment Committee may make such summary inquiry, as thinks appropriate before deciding the application.

13.7 The enrolment Committee may approve for granting lenience in accordance with **Appendix-D** or by deferring with reasons may transmit to Bar Council in accordance with section **31** of the Act.

13.8 The advocate shall also be granted identity card in accordance with **Appendix-E.**

13.9 The license as other advocate and identity card shall be issued for **1** year and afterwards required to be renewed for next 1-year subject to prescribed fee, application supported by affidavit that the advocate remained in active practice, has become member of any bar association and has not been disqualified in any manner.

13.10 That after expiry of the license, within 1 month, the advocate may apply for the license for advocate High Court or renewal with previous status; otherwise no such application would be entertained unless the advocate assigned sufficient cause to the enrolment committee within **5 years** from the expiry who may approve subject to fine which may extent to 10 rupees per day, commenced from expiry of license.

13.11 An advocate subject to section **27** of the Act and **Appendix-F** may apply for the enrolment as an advocate high court by placing two certificates from two advocates of High Court qua his continuous practice and conduct, original deposited bank vouchers of prescribed fee, attested copy of CNIC and license either valid or has not been expired more than 30 days, list of 20 cases conducted or assisted by the applicant as advocate, undertaking and proof of his status of Voter with membership of any Bar Association.

13.12 No application for the admission as an advocate High Court shall be proceeded if the other advocate found guilty of his basic admission or had not meet the criteria of conditional admission as another advocate.

13.13 Upon receiving the application, the secretary with immediate effect shall report qua verification of his license, payment of prescribed fee, eligibility of the applicant, qualification under section **26**, disqualification under section **28-A** or under these Rules.

13.14 The application for advocate High Court, along with his original file as other advocate, shall be presented before enrolment committee or subcommittee or examination committee, who, after his oral examination, shall decide the application in accordance with sections **27(c)** and **31** of the Act and Rules.

13.15 In case of approval, Bar Council shall issue license in accordance with **Appendix-G** and identity Card in accordance with **Appendix-H.**

13.16 The license as advocate High Court and identity card having 05 years validity shall be issued and afterwards would require to be renewed for life time subject to prescribed fee, application supported by affidavit that the advocate remained in active practice and has not been disqualified in any manner. Life time Identity Card as advocate High Court shall be issued in accordance with **Appendix-I.**

13.17 That after expiry of the license as advocate High Court, within **1** month, the advocate High Court may apply for renewal; otherwise no such application would be entertained unless the advocate assigned sufficient cause to the enrolment committee that may approve subject to fine which may extent to 10 rupees per day, commenced from expiry of license.

13.18 If the advocate, within 6 months from expiry of his license, neither applied for suspension nor for renewal, his name from the roll of advocates would be removed but after notice to his last address and public notice of 15 days upon official website of Bar Council.

13.19 Any advocate, at any time, during his validity of license, due to any reason, may apply before enrolment committee for suspension or surrender his license(s) and the committee shall accept the request of the advocate in its first meeting.

13.20 If before application of suspension or surrender, disciplinary proceedings have already initiated, same shall not be abated on the sole score.

13.21 An advocate shall bound to make application for suspension of his/her license within 6 months from joining his/her service or any other occupation through which his/her right to practice as advocate has ceased, otherwise he/she shall be guilty of gross professional misconduct. However, the volunteer suspended advocate may apply for resumption of his license after leaving/relieving/quitting/ resigning or retiring from his/her said service.

"Provided further that the Attorney General, Advocate General, Prosecutor General which also means Additional, Deputy and Assistants Attorney General, Advocate General, Prosecutor General, would remain at the roll of Advocates"

13.22 An application for retrieval or become an advocate shall not be considered if the applicant generally disqualified under Article 63(a)(b)(g) & (j) of The Constitution of Pakistan,1973.

13.23 Any concealment or misstatement in application would amount to gross misconduct.

13.24 The Decision of enrolment committee, except in the matters referred to Bar Council, shall be final and shall be treated the decision taken by Bar Council. Such decision shall also be communicated to the applicant.

13.25 An advocate on the roll of any other provincial bar council in Pakistan or Islamabad Bar Council may also apply for being placed on the roll of Bar Council subject to prescribed fee and NOC from the concerned Bar Council. However, in case of such approval, subject to Act and Rules, transpose paraphernalia shall also be incorporated including previous enrolment and date of transposed enrolment whilst seniority would be considered from date of basic enrolment.

13.26 An advocate, who is the member/ voter of one bar association and desires to transfer his/her membership/vote from that bar association to any other bar association of the province throughout Balochsitan, must apply to the bar council by submitting an application to the chairman executive committee, at least six months prior to the election of the bar council and new bar association to which the advocate desires to become a member / voter.

Provided once an advocate become the member/voter of a bar association, he / she shall not be entitled to transfer his/her membership/vote to any other bar association of the province within next three years.

13.27 Bar Council, subject to prescribed fee, shall issue identity card to the advocates having distinguished colours of advocate High Court and other advocate whilst the advocates shall keep the same.

13.28 The advocates shall pay the prescribed fee as prescribed in section 34 of the Act.

Chapter-14:- (56-L of the Act)

(Procedure of Tribunal in inquiries relating with conduct of advocates)

14.1 The procedure of disciplinary committee and Tribunal constituted under Act and Rules relating to the conduct of advocate shall proceed in accordance with the Chapter VII of the Act.

14.2 Complaint against advocate, by any individual, shall not be entertained until contain the full depiction of alleged misconduct, having 5 additional copies of the complaint and the documents relied upon. If the complainant would not be a court or authorized Public Servant in official capacity, shall also be supported by an affidavit as prescribed **Appendix-J**.

14.3 Upon the receipt of complaint, the authorized employee shall scrutinize and in case of any objection qua entertain-ability shall intimate to the complainant within **3** days by specifying nature of objection by making call, SMS and through post and otherwise shall place the same before the committee in its next meeting or if meeting has already scheduled within 5 days, in its next meeting.

14.4 No complaint shall be proceeded against any member except with the prior approval of the House.

14.5 At the first instance, by assigning reasons, the committee may reject the complaint summarily or may issue notice to respondent.

14.6 In case of notice, the respondent advocate shall be intimated upon his residential and official address and through any other mode but with copies of complaint and all documents attached with the complaint.

14.7 The respondent advocate shall file comprehensive reply along with documents on or before next date of hearing and in case of failure or flunk or non-appearance, the committee may proceed further by imposing any conditions including suspension of his/her license maximum for a month at once and may provide only one opportunity with or without costs/fine which may extend to Rs. 5,000/. In case of further delinquent aptitude may also strike the defense.

14.8 In both eventualities, stated above, the committee shall proceed with the inquiry wherein thrash the material and subject to oath and cross by opposite part to record the witnesses present. The committee may ask any relevant question to any concern.

14.9 The sequel of the inquiry, required to be finalized within 12 weeks, subject to speaking order, may be the dismissal of complaint with or without costs or to make reference to the tribunal as warranted under section **41** of the Act, coupled with all material and proceedings.

14.10 Parties concern, upon written application and prescribed fee may obtain certified copies of all the proceedings, documents relied, evidence and decision.

14.11 The Chairman of the Tribunal, shall fix the dates of hearing and at least 10 days before from the first hearing, the secretary of the Bar Council shall display the same upon notice board of Bar Council and also intimate the parties to the complaint in any two different modes of communication.

14.12 For the purpose of misconduct adjudication, the Bar Council shall constitute at least one tribunal for one or more divisions at every level whereupon bench of High Court is working while for the principal seat at least two tribunals comprising of two members for every tribunal. Every such tribunal shall be headed by the judge of the High Court nominated by the Chief Justice of High Court and the nominated judge for every tribunal shall be the chairman of that tribunal.

14.13 Before the duly constituted Tribunal, reference shall be presented and prosecuted by the Advocate General or Additional Advocate General or nominated member, assisted by the Secretary, while on the other hand the parties to the complaint may plead by own or through any other advocate or agent.

14.14 The Tribunal, with speaking order, after perusing the reference may reject the same summarily or may issue show cause notice to the concern whilst the respondent coupled with 3 additional copies may file reply of show cause to the Secretary within 15 days from the service.

14.15 The Tribunal and the committee shall have all powers as vested section **45** of the Act.

14.16 The respondent advocate shall not be compelled to appear as witness while, he/she by his/her own, may appear as witness on his/her behalf as competent witness.

14.17 The secretary or nominated additional secretary shall also be the secretary of the tribunal and shall be responsible to issue notices and to keep the proceedings and record of the Tribunal and to ensure the compliance of the Act and Rules.

14.18 Every reference shall be decided by the Tribunal in accordance with Act & Rules and upon sound judicial maxims/principles.

14.19 An advocate who committed professional misconduct shall be punished in accordance with section **41** of the Act and in case of other misconduct; such advocated shall be punished with suspension of his license up to 3 months, or with fine which may extent to Rs.100,000/ but not less than Rs20,000/, or with both.

14.20 The decision of the tribunal shall be final and no appeal, review or revision shall lie against the final decision of the tribunal.

Chapter-15:- (56-m of the Act)

(Firm of lawyers/advocates)

15.1 Any Legal Practitioner may make an application to the Bar Council for forming a firm of advocates in any specific area of Bar Council or throughout the province.

15.2 The application for the registration of such Firm shall not be entertained unless the applicant has annexed the deposit slip of prescribed fee; copy of partnership deed, if any; valid licenses of all partners issued by any Bar Council of Pakistan.

15.3 The application for the registration shall contain the following information;

a. Name of proposed Firm.
b. Area of Practice.
c. Desired territory.
d. Place of main office or sub-offices of the proposed Firm.
e. Names of partners with their shares.
f. Initial and future contribution of each partner.
g. Proposed letter head of the proposed Firm.
h. Undertaking of all partners that the firm shall follow the Act & Rules and have not been declared as insolvent or defaulter by any law.

15.4 The Secretary, after receipt of such application, shall report within 15 days that all partners have valid licenses; application is complete or deficit and the propose name of the firm was not already registered with the Bar Council.

15.5 The Secretary, after making report, shall place the application to the Bar Council in its next meeting and Bar Council may ask for any further information or pass any final order, as deems fit and proper but not later than 04 months from the presentation before Bar Council's meeting.

15.6 That in case of approval qua registration of Firm, the Bar Council would issue registration certificate to the Firm by depicting the name of the Firm and conditions, if any.

15.7 Bar Council shall also upload the name of registered Firms upon its official website and may issue any verification certificate subject to prescribed fee.

15.8 The registered Firm shall intimate to Bar Council regarding the change of its office or shareholders/ partners. The new partner shall not be added/ included unless acknowledged by the Bar Council. The amended certificate would also be issued by the Bar Council subject to prescribed fee.

15.9 All Firms of lawyers, already registered with Bar Council, under previous rules, shall presume to be registered validly.

15.10 Proposed Firm may continue its business till the disposal of application.

15.11 The Bar Council, may, at any time, call for such information as it may consider or for any sufficient cause to be recorded in writing, after due notice of 15 days to all the partners of the registered Firm, impose any condition upon the Firm or to impose any fine or suspend the registration of Firm or pass order of deregistration of the Firm.

15.12 The Law Firms registered under any other law than the Act shall not be presumed to be registered with Bar Council unless such Firms would apply for the registration to the Bar Council under these rules.

Chapter-16:- (56-n of the Act)

(Recognition, Derecognizing & Functions of Bar Associations)

16.1 Without recognition from the Bar Council no group of advocates or association of advocates would be entitled to use words "Bar Association" or "Association on the name cast, creed, linguistic, racism or any named" and if such advocates would be involved in such illegality, the office bearers of that illegal association shall be guilty of professional misconduct in addition to offence of cheating impersonation.

16.2 Anybody oo group of advocates shall not use the word "Bar" or "Council" or "Pakistan" or "name of any province of Pakistan and Islamabad Territory" unless the Act or Rules permits so. In case of any illegal and unwarranted claim, the concerned, pretended so, shall be guilty of professional misconduct in addition to the offence of cheating and of any other offence, prescribed specifically.

16.3 Any group of lawyers or association of advocates may apply to the Bar Council for the recognition as Bar Association for any specific territory or particular place, district, or tehsil while the Bar Council may entertain the same subject to following conditions;

a. *The application filed for the recognition of Bar Association regarding the place where no such Bar Association for the same territory or with the same name was already registered.*

b. *The application shall be filed; in case of High Court's bench level by at least 100 legal practitioners, in case of District judiciary level by at least 50 advocates and in case of sub-divisional level, Tehsil or Taluqa or for any specific place where judiciary works under High Court, by 15 advocates at least. In exceptional circumstance Bar Council may dispense with the minimum requirement of advocates but assigning reasons.*

c. *The applicants, in the body of application may nominate any of the applicants as their representatives.*

d. *The copies of identity cards of each applicant issued by the Bar Council as proof that the applicants' names exist at the roll maintained by the Bar Council.*

e. *The application shall also state that in case of recognition, the Bar Association shall follow the norms of Act and Rules.*

16.4 The application may contain any proposed regulations and proposed executive body of that proposed Bar Association initiated from the particular place.

16.5 Where there are more applications than one for recognition of any Bar Association from the same place, all would be decided simultaneously or later may deferred till decision of prior application.

16.6 The application for the recognition shall be considered by the executive committee who shall also ensure that the application relates for the particular place where there is any regular functional courts, properly supervised and subordinate to High Court.

16.7 The executive committee may modify any of the provision of the proposed regulation and if there is no proposed regulation, the said Bar Association shall presume to act strictly in accordance with the Act and Rules while in any case, any provision of the proposed or approved regulation, found contrary to the Act and Rules, the same shall have no legal force.

16.8 After consideration, the executive committee shall pass any appropriate order and thereafter along with that order, the application shall be placed before Bar Council and Bar Council shall decide the application in any manner whatsoever.

16.9 Where there is an existing recognized Bar Association on the date of coming into force of these rules, no further application from such place, for recognition, shall be entertained but shall not prevent the recognition of a High Court Bar Association at a place where there is a functioning bench of High Court and no High Court Bar Association was already recognized for that place.

16.10 That as soon as any proposed association duly been approved by the Bar Council, all of its applicants shall not be considered as voters of any other Bar Association. Provided further that no transfer fee would be asked or charged from the legal practitioners transposed in newly recognized Bar Association.

16.11 If the application also propose cabinet, the same shall also be approved and shall perform its functions till the elections of Bar Association as warranted by the rules and if does not propose any cabinet, the senior most members in accordance with their seniority shall perform as president, vice president and secretary till the next election.

16.12 An advocate may become the member of more than one bar association but shall not be the voter of more than one bar associations but could be the member of any one of the High Court Bar Associations in addition to District or Sub-Divisional Bar Associations.

16.13 Every recognized bar association, shall furnish its memorandum of association and any further amendment in its regulations, within 04 weeks from that amendment otherwise such memorandum, regulation or amendment shall have no legal force.

16.14 Every recognized bar association soon after its elections, within 15 days from the election, shall furnish the list of newly elected offices of its cabinet through its president or in his absence through vice president or in absence of both by the secretary of that bar association, to the Bar Council, otherwise, the Bar Council may suspend the newly elected president, vice president or the secretary.

16.15 Any advocate if feels any grievance due to any act or omission of any recognized bar association including its office bearers, may,

within 30 days of that act of omission may file an appeal to the Bar Council which shall be heard and decided by the executive committee of Bar Council.

16.16 Every advocate, within 06 months of his enrollment as an advocate shall also inform the bar council that he has also become member of any recognized bar association, otherwise after expiry of 06 months from the original enrollment, the license of the advocate shall stand automatically suspended and would not be restored until the advocate would state in writing any plausible cause for such failure.

16.17 Any voter of any bar association, after 03 years of his membership with any bar association, by appearing in person and due verification, may file any application before bar council for transfer of his vote from one bar association to any other bar association. The application shall also annex a NOC from the former Bar Association and membership certificate from transferee bar association. The decision of the bar council through executive committee shall be communicated to both bar associations having nexus with the transpose paraphernalia.

16.18 If any legal practitioner would prefer to transfer his vote from one bar association to another bar association, as soon as his application would be accepted, his previous status of voter with transferor Bar Association shall ceased its effect immediately but if the order would be passed after 30th September, the applicant shall have no right to cast vote with any of the Bar Associations.

16.19 Where it is reported by any bar association that any advocate has ceased to be its member, the Bar Council shall issue 15 days notice to that advocate and if found that the said advocate has not been the member of any recognized bar association other than High Court Bar Associations, the license of that advocate shall be suspended for three months and in the meanwhile, the advocate may apply membership with any bar association along with requisite dues, otherwise the name of such advocate shall be struck off from the roll of advocates unless the license of that advocate has already been suspended upon the request of that advocate.

16.20 The advocate whose application for admission for a bar association duly been dismissed despite depositing membership fee and meeting with pre-requisites of membership, the such

advocate, within 30 days from that refusal, shall have right to file an appeal before bar council and in that eventuality neither the license of that advocate required to be suspended nor cancelled unless the bar council shall decide finally.

16.21 The Bar Council may condone any delay, due to any sufficient reason, qua the appeals filed by advocate against the bar associations.

16.22 The Bar Council shall not recognize any removal of an any legal practitioner from the membership of a Bar Association unless established that the advocate; despite notice has become defaulter of that bar association; or held guilty of misappropriation of funds or property of that bar association; or has deliberately violated the regulations of that bar association; or committed professional misconduct or has become disqualified to remain an advocate.

16.23 The advocate, whose name has been removed from membership of any bar association, due to misappropriation, or misconduct or disqualification to become an advocate shall have no right to become the member of any other bar association unless the original order would be suspended or set aside by the Bar Council or Pakistan Bar Council or any other competent court of jurisdiction.

16.24 Any recognized Bar Association could be derecognize if would lost the criteria of Rule 16.3(b) or subject to notice; if such Bar association would carry any requisition against Bar Council or Act or Rules.

Functions of Bar Associations;

16.25 All Bar associations, in their territorial jurisdiction, without conflicting the mandate of Bar Council or Pakistan Bar Council, for the welfare of legal practitioners, including to membership paraphernalia of its members, shall perform the functions in accordance with Act, Rules, memorandum or association of that bar association and to act or perform for the dispensation of justice having coordination with the respective judiciary or as directed by the Bar Council.

16.26 The president of the Bar Association, by assigning the hurdles to perform any of the function of Bar council or any other

sufficient cause, by his own may call strike, not exceeding **4** hours once in a day; by the Cabinet, a full day strike once in a week and by general house of that bar association by majority, up to 2 days' strike in a week and in all eventualities, upon the same issue, no strike shall be repeated except with the prior permission from the Bar Council. However, the bar Associations shall observe the strike calls of Bar Council and Pakistan Bar Council.

Cabinet of Bar Associations;

16.27 In relation with the affairs of High Court Bar Associations, there shall be a president, a senior vice president, a vice president and a general secretary, a joint secretary a finance secretary Library secretary, and six (06) members of executive committees to be elected in annual general election, shall be held in last Saturday of November or as directed and scheduled by Balochistan Bar Council.

16.28 In relation with the affairs of Bar Association at District or Tehsil level, there shall be a president, a vice president, a general secretary, a joint secretary, a finance secretary, and a library secretary to be elected in annual general election, shall be held in first Saturday of October or as directed and scheduled by Balochistan Bar Council.

Provided further that in capital city of the province, if no independent Bar Association at every Tehsil Level duly been recognized, one more Vice President for each Tehsil having judicial work, also be elected.

16.29 The term of every office bearer, shall at the most, be one year Provided that three months prior to the conclusion of term of the cabinet if the president & general secretary failed to announce the next election, the bar council shall take over the concern district bar association or the high court bar association by constituting an election board. Further provided that the president and the general secretary who have failed to announce the election of next tenure, would be disqualified to contest any future election of bar council, high court bar association, district bar association for a period of three years from the date of their completion of tenure and further the Balochistan bar council shall suspend their practicing licenses for a period six (06) months.

President & Vice President;

16.30 The president shall have the first right to convene the meetings, to preside all meetings, communicate with other bar associations & Bar Council, responsible to comply with the Act, Rules and memorandum of the Bar Association, if any.

16.31 The president shall have prior right to finalize the outcome of meetings by casting his second vote and also be authorized to communicate with the concerned judiciary.

16.32 The president shall be the hiring and firing authority i.e., competent authority of all employees of Bar Association while any aggrieved employee may have right to file appeal before executive committee of bar council against the order of the president.

16.33 The president would be responsible to place the defaulter list of legal practitioners/ defecto voters of that Bar Association at notice board of the Bar Association till the 31st August, display the final voter list before 10th September of every year by specifying the new members in his tenure along with date of application and approval and to dispatch such list of final voters to bar council before 15th September of every year.

16.34 The President would be the competent authority to decide the fate of any sort of application to Bar Association or to delegate any of his powers to any other office bearer of that Bar Association.

16.35 The President shall be the signatory of the Bar Association including bank account of the bar association along with the Secretary of that Bar Association and to incur any sort of expenses but by assigning reasons and in good faith.

16.36 Every policy on behalf of Bar Association shall be decided by the President.

16.37 Subject to rules, the President shall constitute election board comprising of three eligible voters of that Bar Association on or before 1st December of every year.

16.38 In absence of the President, the senior vice president or in his absence the Vice President shall exercise the powers of the

President and upon availability, the President may rectify or annul the authority exercised in his absence.

Secretary & Joint Secretary;

16.39 The Secretary shall maintain, sustain and keep all the record of the bar association except financial summary and record relating to library.

16.40 The Secretary, upon instructions of the president shall circulate all types of activities including the decisions of Bar Council and the Bar Association, meetings and to eliminate all kinds of unwarranted activities in the premises including to fix the touts.

16.41 To conduct the meetings and also sign the cheques along with the president.

16.42 In absence of the Secretary, the joint secretary shall exercise the powers of the secretary.

Finance Secretary & Auditor;

16.43 The Secretary Finance would be responsible to prepare annual budget within two months commence from his tenure and to place before the cabinet. He would also responsible to keep all financial documents except cheque book which shall be kept by the president.

16.44 The auditor having all access to entire record of Bar Association, on quarterly basis prepares reports qua the financial activities of that bar association. Such reports shall be placed before General House as well as transmitted to Bar Council.

Library Secretary & Executive Members;

16.45 The library secretary having assistance with the executive members shall maintain and keep the inventory of books, library services, to make report to the cabinet regarding availability and deficiency of law books, newspapers, E-Book Services, internet facility, law sites and any other affiliated matters.

16.46 The executive members would be the active participants in every meeting of cabinet with right to cast the vote. The executive members would also suggest the welfare of legal practitioners,

annual contribution and membership fee to become the member of that Bar Association and manner of services to the members of the Bar Association.

Vacancy of any office;

16.47 Any of the office bearer of Bar Association may tender resignation, by his own hand written, to the Chairman Executive committee of Bar Council and the same shall be accepted w.e.f the submission date.

16.48 In case of disqualification, retirement, resignation, elevation or inability of any elected office bearer to perform his duties, all other elected office bearer, separately or jointly, shall intimate Chairman Executive regarding such failure and within 2 weeks of such intimation, the Executive committee shall notify the other elected member to perform the functions of defunct office bearer till the time of next election or bye election. However, if the remaining tenure of that year would be 6 months or more from the stated vacant office, another election limited to that office shall be directed and scheduled by the chairman executive.

General Functions of Bar Associations;

16.59 The General House of any Bar Association may make, alter or amend any memorandum of association and manner of working which shall not be contrary to Act and Rules.

16.50 At least quarterly, the General House meeting shall be convened by the president wherein any kind of business could be discussed and decided.

Membership;

16.51 Any advocate could be entertained to become the voter or non-voter member of the Bar Association subject to prescribed fee, Form, documents and any other needful, decided by the cabinet and approved by the General House meeting. Provided further every bar association having at least 500 members, shall also contribute Rs.20 to the Bar Council against every new membership.

16.52 Upon consensus of the cabinet, honorary membership could be offered to any celebrity, addressed the general house meeting.

Elections;

16.53 The Election Board shall be constituted by the respective president on or before 1st September of every year which shall consist upon three voters of that Bar Association including a Chairman has become member of that Bar Association at least 15 years ago while the other two members would have at least 10 years standing.

16.54 The Election Board, by conceiving the final voter list, initiated by the president and approved by the Bar Council with consultation of at least one elected member from that division, shall issue election schedule, subject to certain instructions including nomination fee on or before 5th September of that year. The nomination papers against the approved offices, specified in the schedule and upon Performa, shall be submitted on or before 15th September of that year.

16.55 The Election Board shall public the tentative list of candidates on or before 17th September of that year and any voter of that Bar Association may file any sort of objection or any of the candidate may withdraw his nomination till 19th September and by deciding the objections, if any, the final list of candidates shall be displayed by the Election Board on or before 21st September of that year and in case of unopposed candidature, notify the returned candidates.

Provided that if against two seats of secretary or vice president, only two candidates had filed nomination papers; senior to the other in respect of date of membership and if having the same date of membership of that Bar Association, senior to age, shall be notified as Vice President or General Secretary.

16.56 No voter could file the nomination papers, if, in case of president, having practice at least 15 years, in case of Vice President and Senior Vice President having at least practice of 10 years, in case of secretary having minimum practice of 07 years and for other elected offices at least 3 years' practice.

16.57 In case of High Court Bar Association, the term of practice would be accounted from the date of enrollment as an advocate high court.

16.58 The length of practice of aforementioned eligible candidates shall be counted from the date of membership of that bar association and in case of bar association recognized less than 20 years, from the date of membership of any other bar association.

16.59 No candidate would be presumed as eligible candidate if along with warranted practice, at the time of submission of nomination papers, had not attached the proof of his active practice for the past three years. No candidate for the seats of president, vice president and secretary would be entertained if he had not conducted at least 20 cases per year while for the seats of joint secretary, finance secretary, library secretary and had not conducted at least 10 cases per year. Such proof of practice shall commence from two years from the submission date of nomination papers.

16.60 If more than 90% voters of that bar association would not meet the eligibility criteria due to any reason, The Bar council shall decide the eligibility of election board and candidature of that bar association with certain terms, period and conditions.

16.61 One day before the election date, the outgoing cabinet shall entrust the entire record of Bar Association to the Chairman Election board, against handing over and taking over paraphernalia.

16.62 The election board may authorize any other voters of that Bar Association to assist them in election process but at least five days prior to the Election Day and the names of those shall also be communicated to candidates.

16.63 The election board as well as nominated assistants amongst voters of that bar association, subject to formalities shall have right to cast their votes.

16.64 Election material including ballot papers shall be managed by the election board in confidential manner and before balloting process, on the election day, the Chairman shall announce before the candidates or their authorize agents regarding the depiction of election material and total ballot papers having serial numbers.

16.65 The election board after satisfying the identity of voters through CNIC and identity card issued by the Bar Council shall issue the ballot paper to the voter and all polling process shall be completed in secret ballot manner.

16.66 The names of all candidates shall be printed upon ballot papers against the contesting office and after getting ballot paper, the voter shall cast his right to vote either by marking "X" or "√" against his choice of candidature. Any vote having double marking or any other identification mark shall deem to be canceled.

16.67 The election board upon suspicion may tender any vote, may cancel any ballot paper and may segregate the spoilt ballot paper.

16.68 Save otherwise provided, the conditions of spoilt, cancelled, tendered, valid and invalid votes, if not specified in the Act or Rules, shall be the same, as exist in law regarding the elections of members of Provincial Assembly.

16.69 After the closing time of balloting, before opening the ballot boxes, the Chairman of election board, in presence of candidates or their authorized agents shall announce the total ballot papers either consumed or unconsumed or cancelled or spoilt or tendered.

16.70 After announcing the aforementioned balloting, the counting process shall be held in presence of the candidates or their authorized agents and by summing up the same, Chairman Election board shall announce the entire result and along with written result, immediately hand over the record of Bar Association to the newly elected president and secretary, accordingly and subject to acknowledgment.

16.71 All the election record shall be preserved by the Chairman Election board for next 90 days and in case of election petition, till the final disposal of that election dispute.

16.72 In all cases, the Chairman Election board shall public the names of voters, have exercised their right of vote and a copy of that with his/ her seal/ signature & stamp also send to the Bar Council.

16.73 The Bar Association as well as the Bar Council shall suspend the membership and license of those advocates had not been participating in election process as voter for the last five years, continuously.

Provided further that the said suspended legal practitioner shall also be intimated by Bar Council and Bar Association separately for such suspension and if within next 30 days, the suspended legal practitioner would not tender apology and ensure to participate in future, the name of such advocate shall be removed from the membership of Bar Association as well as from the roll of Advocates.

Further provided that in case of written apology and indemnity, the membership and license shall be restored while in next election, if the said legal practitioner once again fail to cast the vote, without any further notice and intimation his/her name shall be removed from the Bar Association as well as from the roll of advocates.

Provided further that the legal practitioners having 80 years of age or above; or bed ridden due to any chronic disease shall have indemnity.

16.74 All the Bar Associations shall be bound by the instructions of Bar Council and Pakistan Bar Council.

16.75 No candidate shall hold the public gatherings unless had submitted his nomination papers.

16.76 Any candidate may opt personal campaign by making personal requests, by using social media and by distributing visiting cards. The size of visiting card shall not exceed from 5x3 inches. After issuance of election schedule, candidates would be entitled to make election campaign in the form of groups of 5 or more participants.

16.77 During entire election campaign no candidate shall use posters, banners, penaflexs, stickers and public advertisement.

16.78 Candidates, before final list of eligible candidates, shall not provide any kind of meal, breakfast, lunch, brunch, dinner and tea party under any pretext.

16.79 In case of any violation, any legal practitioner may make complaint to Bar Council and if election board had already been

constituted, to the Chairman Election Board, who, in either case, after issuance of show cause notice, may penalize such candidate with penalty of censure or fine upto Rs.1,00,000/- or to disqualify him/ her for contesting the election qua next two years.

Chapter-17:- (61 of the Act)

(Arrangement of Group Insurance)

17.1 The Bar Council shall arrange for the insurance of life of the advocates on its roll as have not attained the age of 62 years.

17.2 A Separate account and bank account shall be established for group insurance fund whose signatories shall be the chairman of Lawyer's Welfare Committee and the Vice Chairman.

17.3 The Bar Council may arrange the group insurance with any insurance company or insurer against any terms.

17.4 Any advocate by making application subject to **Appendix-K** may become the contributor and beneficiary of group insurance in accordance with **Appendix-K-1**.

17.5 No advocate who has attained the age of 50 years would be entertained as new contributor unless declared medically fit by the medical board or health care center, as recommended by Bar Council or the insurance company, as the case may be.

17.6 The total sum insured shall be paid to the contributor if approved medical board would recommend the total disability of that advocate while partial claim would be adjusted qua the partial disability. In that accord the principle of Arsh, defined in Section 337-Q, 337-R and 337-S of Pakistan Penal Code would apply.

17.7 After availing of full or partial benefit of group insurance, the beneficiary advocate shall not be the contributor or beneficiary of the group insurance.

Chapter-18:- (62 of the Act)

(Establishment of Benevolent Fund)

18.1 The Bar Council shall establish a fund to be called as "the advocate benevolent fund".

18.2 A Separate account and bank account shall be maintained for advocate's benevolent fund whose signatories shall be the chairman of benevolent fund Committee and the Vice Chairman.

18.3 Every advocate in terms of application **Appendix-L** shall apply and pay to the Benevolent Fund, annually, monthly or at such other intervals as may be prescribed by Bar Council while amount of contribution and benefit shall be governed in accordance with **Appendix- L-1**.

18.4 Every contribution shall be made directly in the separate bank account maintained for the purpose of benevolent fund and no cash amount would be paid or entertained.

18.5 The funds shall be utilized for the relief of advocates and their families and by giving financial relief to the families of deceased advocates and making grants to advocates on special occasions.

18.6 All advocates who had joined any previous schemes may content and opt the same but if would make further contribution, regardless their contribution, shall be presumed that they had been making annual contribution since their enrolment as an advocate of sub ordinate court and who having less than 15 years standing shall presume that they had contributed Rs.2,000/ per annum while who having more than 15 years standing shall presume that they had contributed Rs.4,000/ per annum.

18.7 The Benevolent Fund shall be payable at the age of 70 years however after attaining 60 years of age any contributor may withdraw 50% of payable amount.

18.8 In case of death or attaining the maturity or right to withdrawal 50%, the total contribution shall be accounted and 10 times of that amount shall be paid.

18.9 If any contributor passed away within 10 years of enrolment, Rs.100,000/ would also be paid in addition to 10 times of his/her contribution.

Chapter-19:- (61&62 of the Act)

(Contribution, Nomination and payment of Group insurance & Benevolent Fund)

19.1 Every contribution shall be made directly in the separate bank account maintained for the purpose of benevolent fund or Group insurance, as the case may be and no cash amount would be paid or entertained.

19.2 The Bar Council may invest the collection of funds in any manner including investing in immovable property.

19.3 The contribution could be made on annual basis, or quarterly or monthly but entire annual contribution shall be paid on or before 31st December of every year for the contribution of next year. However, provisions of section **34 (4)** of The Act shall apply.

19.4 The contributor advocate, may, in writing, can nominate anyone as nominee with full benefit or may nominate more than one person as beneficiary of any specific percentage of benefit and at any time may change such nomination.

19.5 In case of death, the nominee of the deceased contributor may apply for the assigned benefit and said nominee(s) would be entertained as per will of contributor with warranted share. Anyhow the other successors in interest of deceased advocate may avail their legal remedies against the nominee(s).

19.6 If the deceased contributor had not nominated anyone, the successors of deceased advocate may apply with the support of family registration certificate issued by NADRA or court decree or in accordance with the succession law of land. The Bar Council shall disburse the shares of each successor as declared. Anyhow spouse of deceased advocate may obtain the share of minor children being natural or defecto guardian.

19.7 Death claim of contributor shall not be entertained unless the claimant provided the death certificate of deceased advocate issued by NADRA, original license/ original identity card issued by Bar Council; and condolence certificate from the bar association by whom the deceased advocate remained voter member.

19.8 The advocate or nominee/ successors of deceased advocate shall not be entitled for any relief if at the time of death of the advocate or his maturity, the name of the contributory advocate has already been removed from the roll or he has become disqualified to be enrolled as an advocate.

19.9 In case of any reasonable suspicious, the Bar Council may hold any inquiry and ask for further documents but in that eventuality subject to furnishing indemnity bond or written assurance of any member 1/3rd ad-hoc payment shall be made.

19.10 No payment of group insurance or Benevolent Fund shall be made unless reported by the secretary that the contributor had valid and active license; had been properly contributing; and recommended by the relevant committee.

Chapter-20:- (Miscellaneous)

20.1 Every member of Bar Council, during his tenure as member, without any application and contribution, shall also be the non voter member of all bar associations in the province.

20.2 The Bar Council will charge the prescribed fees in accordance with **Appendix-M.**

20.3 Mere imposition of fine by Bar Council or its committee and payment thereof, would not absolve anyone from other legal actions, prosecution and consequences of any offence or civil wrong.

20.4 Violation of theses Rules by an advocate shall amount to other misconduct and despite confrontation or notice further deliberate violation of that advocate shall amount to professional misconduct.

20.5 The Bar Council through its Vice Chairman and Chairman Executive for performing the functions of Bar Council may issue any standing operational procedural which has not been specified in these rules.

20.6 There shall be the official sign and insignia of Bar Council.

20.7 The Bar Council for its correspondence shall use letter head printed upon white colour while for all certificates and recommendations, letter head of pale colour.

20.8 Application for intimation i.e., Appendix-B would be upon legal size page of white colour.

20.9 Application for becoming advocate i.e., Appendix-C would be upon legal size page of sky blue colour.

20.10 Licenses i.e., **Appendix-D** and **Appendix-G** would be issued upon pale colour paper having insignia and official seal of Bar Council.

20.11 Identity Cards in accordance with **Appendix-E,H&I** would be issued with multicolor distinguished and identical designs duly approved by Enrollment Committee.

20.12 Application for becoming advocate of High Court i.e., Appendix-F would be upon legal size page of green colour.

20.13 Any member, by writing his own hand, may resign from his seat or from any committee by addressing the Chairman through Secretary and such resignation would be delivered to secretary and if the same so delivered, shall be affected from the date of delivery.

20.14 A member whose license has been suspended shall not act as member during the period of his suspension and if such suspension would cover the whole of remaining tenure of that member, after 15 days of such suspension, if suspension order would not be suspended, the seat of that suspended member shall be presumed to be vacant.

20.15 Any member whose name duly been removed from the roll or has been disqualified to be an advocate or to be a member, his seat shall presume to be vacant.

20.16 A member of a committee or a Chairman of committee constituted under section 10 of the Act could be removed by the Bar Council by passing vote of no confidence subject to condition that at least 10 members presented the vote of no confidence and majority of house, by show of hands, in meeting, approved the vote of no confidence.

20.17 The record, books and registers of the Bar Council shall remain preserved until the Bar Council would decide to destroy any of its record but subject to scanning the same.

20.18 All petitions before Bar Council could be filed and contested by the parties by their own or through any other advocate or authorized agent.

20.19 The secretary may spend through cash payment for meeting and other petty requirements of Bar Council but shall not incur more than Rs.5000/- per day. All such payments with summary and depiction

shall also require to be submitted before vice chairman on weekly basis and also in every meeting of Bar Council.

20.20 In every year the Bar Council in its meeting convened in July or soon after would discuss the financial grant to Bar Council, if allocated by the provincial government in its bugged as warranted under section **57**. If any such grant duly been recommended or awarded, half of that amount shall be allocated for the purpose of advocate's general welfare, payment of group insurance and benevolent fund while rest of such grant would be used for performing the other functions of Bar Council as prescribed under section **9** of the Act. If no grant was either recommended or allocated, the Bar Council would pass a requisition that no bar association or Bar Council would invite any member of provincial assembly for any purpose and shall not join in any meeting and convention conducted or convened by or for the provincial government.

20.21 The Advocate General when chair the election meeting of the Bar Council shall also act as returning officer; under whose supervision, control and arrangement, the election of vice chairman and chairman executive would be held and announced whilst elections of the other committees and other members of executive committee would be conducted under the chair of vice chairman. However the advocate general being chairman would have prior right to chair such meeting.

Chapter-21:- (Savings & Repeal)

21.1 All the deeds, acts, schemes, appointments, functions performed and things done by Bar Council in accordance with law and previous Rules, shall remain intact unless found contrary to the Act and prior Rules.

21.2 The Bar Council Employees Service Rules shall also remain intact until Bar Council decide otherwise.

21.3 All other schemes, SOPs, Directives, decisions of Bar Council have taken to fulfill lacunas, practices based upon vacuum, stopgaps and Rules including The Balochistan Legal Practitioners & Bar Council Rules, 2001, The (Balochistan) Advocates Benevolent Fund Rules, 2001 and Balochistan Advocates Gratuity Fund Rules, 1986 shall stand repeal with immediate effect.

APPENDIX-A

Total Accounts of Bar Council=

1-

Title of account	Account Number	Bank/ Branch

Cheque Book containing _____ leaves/ Cheques issued on

Sr. #	Cheque number	Execution date	Purpose/ Beneficiary

2-

Title of account	Account Number	Bank/ Branch

Cheque Book containing _____ leaves/ Cheques issued on

Sr. #	Cheque number	Execution date	Purpose/ Beneficiary

3-

Title of account	Account Number	Bank/ Branch

Cheque Book containing _____ leaves/ Cheques issued on

Sr. #	Cheque number	Execution date	Purpose/ Beneficiary

4-

Title of account	Account Number	Bank/ Branch

Cheque Book containing _____ leaves/ Cheques issued on

Sr. #	Cheque number	Execution date	Purpose/ Beneficiary

5-

Title of account	**Account Number**	**Bank/ Branch**

Cheque Book containing _____ leaves/ Cheques issued on

Sr. #	Cheque number	Execution date	Purpose/ Beneficiary

Cont.....

APPENDIX-B

INTIMATION FORM

Photo

(Rule 12.1)

Please noted that after passing my law degree, I have joined as trainee with an advocate duly qualified under Rules No.26 of the Pakistan legal practitioners and bar council act 1976.

My personal information is as under:-

1. Name of the applicant _____

2. Father's/ husband's name_____

3. Nationality _____4. CNIC No._____

5. Date of birth._____ 6. Station _____

7. Email._____ 8. Cell No._____

9. Home Address_____

10. Mailing Address _____

Qualifications for enrollment from matriculation / O-Level to degree of law:

	Roll Number	Year	Institution/ City
Metric/ O-Level			
F.A/F.Sc/A-Level			
B.A/B.Sc/B.A Hons			
LL.B Part-I			
LL.B Part-II			
LL.B Part-III			
LL.B (Hons)/ Bar At Law			
M.A/M.Sc/ LL.M			

11. Fee deposit _____ Receipt No. _____ Date _____, _____ Bank

12. I am duly qualified under Section 26 of Legal Practitioner & Bar Council Act and has not been disqualified under section 28-A of the Act as well as Legal Practitioners and Bar Council Rules, 2020. My intimation is conditional and in future, if my aforementioned particulars found incorrect or any material concealment would be proved, I shall be responsible for any consequences.

Signatures of the Applicant

Certified that the aforementioned applicant has joined me as trainee as on _____ whereof I am quite eligible under Rules

No.12.3&12.4 of the Legal Practitioners and Bar Council Rules, 2020.

Name of trainer advocate _____ (advocate/ HC/ SC)

Dated of enrollment _____ HC _____ SC _____

License No._____Cell No._____Email._____

Signatures of the Trainer Advocate

APPENDIX-C

APPLICATION FOR ENROLLMENT AS AN ADVOCATE

(Rule 13.1 & 13.2)

Please acknowledge that under Rules No.12.3,12.4,12.16&12.17, I have completed my span of training as trainee, therefore humbly request to enroll me as an advocate. My personal information is as under:-

1. Name of the applicant _____
2. Father's/ husband's name_____
3. Nationality _____4. CNIC No._____
5. Date of birth._____ 6. Station _____
7. Email._____ 8. Cell No._____
9. Home Address_____
10. Mailing Address _____

Qualifications for enrollment from matriculation / O-Level to degree of law:

	Roll Number	Year	Institution/ City
Metric/ O-Level			
F.A/F.Sc/A-Level			
B.A/B.Sc/B.A Hons			
LL.B Part-I			
LL.B Part-II			
LL.B Part-III			
LL.B (Hons)/ Bar At Law			
M.A/M.Sc/ LL.M			

11. I am duly qualified under Section 26 of Legal Practitioner & Bar Council Act and has not been disqualified under section 28-A of the Act as well as Rule 13.22 of the Balochistan Legal Practitioners and Bar Council Rules, 2018. My intimation is conditional and in future, if my aforementioned particulars found incorrect or any material concealment would be proved, I shall be responsible for any consequences including cancellation of my license.

Signatures of the Applicant

Certified that the aforementioned applicant remained under my apprenticeship from _____ to _____ whereof I am quite eligible under

Rules No.12.3&12.4 of the Legal Practitioners and Bar Council Rules, 2020 to issue such certificate. Further certified that the trainee, during apprenticeship has been assisting me in advocacy and I have issued a list of 10 cases, duly signed by me, wherein, the trainee properly assisted.

Name of Trainer Advocate_____ (advocate/ HC/ SC)
Dated of enrollment _____ HC _____ SC _____
License No._____Cell No._____Email._____

Signatures of the Trainer Advocate

FOR OFFICE USE ONLY

1. Fee deposit _____ Receipt No. _____ Date _____, _____ Bank
2. Fee deposit _____ Receipt No. _____ Date _____, _____ Bank
3. Fee deposit _____ Receipt No. _____ Date _____, _____ Bank
4. Fee deposit _____ Receipt No. _____ Date _____, _____ Bank
5. Fee deposit _____ Receipt No. _____ Date _____, _____ Bank

Section Officer Accounts

AFFIDAVIT OF:

I_____S/o,D/O,W/o_____
R/o_____
_____, do hereby affirm and declare on oath as under: -

1. That the contents of the application (over leaved) are correct and nothing has been concealed or misstated.
2. That I have attached certified copies of all educational documents mentioned in the application *(could be verified from concern institute)*; as well as required equaling certificates.
3. I have thoroughly read the relevant rules and section, printed below and according to such law and rules I am quite eligible to become advocate whereof I never have been declared insolvent and likewise I have completed my training period.

12.3 No advocate shall issue certificate of intimation to Trainee advocate if having at least 10 years continuous practice from his license. For determination of such criteria copy of the trainer advocate's license would be furnished along with intimation as well as application for enrolment as an advocate.

12.4 No advocate shall issue certificate of intimation for more than 3 trainees within 6 months from 1st intimation to last whilst in case of advocate Supreme Court, not more than 5 trainees, vice versa.

12.16 The training of the trainee shall be for continuous **6** months and if the education of the trainee not having **17** years of education including Law Degree, shall be continuous for **18** months.

13.22 An application for retrieval or become an advocate shall not be considered if the applicant generally disqualified under Article 63(a) (b) (g) & (j) of The Constitution of Pakistan, 1973.

4. I never have been convicted of any offence.
5. I never have been in service, business or any other profession.
6. It's my first application before any Bar Council.
7. I have deposited the requisite fee.
8. I shall become the member of any recognized Bar Association within 6 months from my enrollment (Rule No.16.20 of the Balochistan Legal Practitioners & Bar Council Rules, 2018.

Note: -*a. In case of conviction cross the clause 4 and upon separate paper, detail description along with FIR and judgment be furnished.*

b. In case of any service, retirement or resignation cross the clause 5 and upon separate paper, full particulars and concerned documents shall be placed.

c. In case of subsequent application, cross the clause 6 and furnish the earlier application with order.

DEPONENT

VERIFICATION

Verified on oath at _____ this _____ day of _____ that the contents of the application as well as above Affidavit are correct and true to the best of my knowledge and belief and nothing has been concealed therefrom.

DEPONENT

FOR OFFICE USE ONLY

The application received as on _____which found complete in accordance with Rules and I have perused and verified fee vouchers as well as testimonials therefore, accordingly referred to examination committee comprised off 1._____ and 2. _____, learned members for _____ station.

SECRETARY

APPENDIX-F

APPLICATION FOR ENROLLMENT AS AN ADVOCATE HIGH COURT

(Rule 13.11 & 13.14)

Please acknowledge that I have already availing license to practice as an other advocate. I have completed my span of two years, therefore humbly request to enroll me as an advocate High Court. My personal information is as under:-

1. Name of the applicant _____
2. Father's/ husband's name_____
3. Nationality _____4. CNIC No._____
5. Date of birth._____ 6. Station _____
7. Email._____ 8. Cell No._____
9. Enrollment date as an advocate _____10. Registration No._____
11. Home Address_____
12. Mailing Address _____
13. I have thoroughly read the relevant rules and section and according to such law and rules I am quite eligible to become advocate whereof I never have been declared insolvent.
14. I never have been convicted of any offence.
15. I never have been in service, business or any other profession.
16. Its my first application before any Bar Council.
17. I have deposited the requisite fee.
18. I have become the member of _____ Bar Association as on _____.
19. I have also attached list of 20 cases wherein being advocate I have been pleading.

Note:- *a. In case of conviction cross the clause 14 and upon separate paper, detail description along with FIR and judgment be furnished.*
b. In case of any service, retirement or resignation cross the clause 15 and upon separate paper, full particulars and concerned documents shall be placed.
c. In case of subsequent application, cross the clause 16 and furnish the earlier application with order.

19. I am duly qualified under Section 27 of Legal Practitioner & Bar Council Act and has not been disqualified under section 28-A of the Act as well as Rule 13.22 of

the Balochistan Legal Practitioners and Bar Council Rules, 2018. My enrollment would be conditional and in future, if my aforementioned particulars found incorrect or any material concealment would be proved, I shall be responsible for any consequences including cancellation of my license.

Signatures of the Applicant

FOR OFFICE USE ONLY

1. Fee deposit _____ Receipt No. _____ Date _____, _____ Bank
2. Fee deposit _____ Receipt No. _____ Date _____, _____ Bank
3. Fee deposit _____ Receipt No. _____ Date _____, _____ Bank
4. Fee deposit _____ Receipt No. _____ Date _____, _____ Bank
5. Fee deposit _____ Receipt No. _____ Date _____, _____ Bank

Section Officer Accounts

APPENDIX-J

AFFIDAVIT OF:

I_____S/o,D/O,W/o_____
R/o_____
_____, do hereby affirm and declare on oath as under: -

1. That I have filed a complaint against _____ advocate with belief that the same based upon Misconduct of that advocate.

2. That the contents of appended complaint are true and not based upon false scenario and certificate.

3. I have sufficient material and evidence to prove my allegations and if the allegation leveled in the complaint would be proved frivolous are baseless the Balochistan Bar Council shall have right to dismissed my complaint even by imposing fine up to one hundred thousand rupees and I understand that as per law, the decision of Balochistan Bar Council could be executed as decree or decision passed by High Court.

DEPONENT

VERIFICATION

Verified on oath at _____ this _____ day of _____ that the contents of my complaint as well as above Affidavit are correct and true to the best of my knowledge and belief and nothing has been concealed therefrom.

DEPONENT

APPENDIX-K

APPLICATION FOR REGISTRATION AS CONTRIBUTOR OF Lawyer welfare fund

(Rule 17.4)

Please register me as contributor of Lawyer welfare fund subject to conditions laid down in Appendix-K-1 as well as chapter 17 of the Balochistan Legal Practitioners & Bar Council Rules, 2018. My personal information is as under:-

1. Name of the applicant _____
2. Father's/ husband's name_____
3. Nationality _____4. CNIC No._____
5. Date of birth._____ 6. Station _____
7. Email._____ 8. Cell No._____
9. Enrollment date as an advocate _____ Registration No._____
10. Enrollment date as an advocate _____ Registration No._____
11. Home Address_____
12. Mailing Address _____

13. I have thoroughly read the relevant rules and section and according to such law and rules I am quite eligible to become contributor of group insurance.
14. My annual contribution is limited to one year ending till 31st December of next year commencing from this day.
15. In case of my death, claim may please be given to the following entity entity(ies) as my nominee:

i. Name of Nominee(s) _____
ii. Name of Nominee(s) _____
iii. Relation with Nominee(s) _____ Share of Nominee(s)_____
iv. CNIC(s) of Nominee(s) _____
v. Condition, if any _____

Signatures of the Applicant
(Date __/___/___)

FOR OFFICE USE ONLY

Fee deposit _____ Receipt No. _____ Date _____, _____ Bank

Section Officer Accounts
(Date __/___/___)

Medical Certificate (Attached/ Not required)

Section Officer Lawyer's Welfare
(Date __/___/___)

The application is hereby accepted (unconditional/ with condition to _____ _____)

Chairman Lawyer's Welfare

P.T.O

APPENDIX-K-1

CONTRIBUTION, TERMS AND BENEFITS OF GROUP INSURANCE

1-

a. Annual Contribution= Rs.1500/ per annum
b. Sum insured/ Claim = Rs.400,000/

Or

2-

a. Annual Contribution= Rs.2500/ per annum
b. Sum insured/ Claim = Rs.800,000/

Rules:

17.1 The Bar Council shall arrange for the insurance of life of advocates on its roll as have not attained the age of 62 years.

17.2 A Separate account and bank account shall be established for group insurance fund whose signatories shall be the chairman of Lawyers Welfare Committee and the Vice Chairman.

17.3 The Bar Council may arrange the group insurance with any insurance company or insurer against any terms.

17.4 Any advocate by making application subject to **Appendix-K** may become the contributor and beneficiary of group insurance in accordance with **Appendix-K-1**.

17.5 No advocate who has attained the age of 50 years would be entertained as new contributor unless declared medically fit by the medical board or health care center, as recommended by Bar Council or insurance company, as the case may be.

17.6 The total sum insured shall be paid to the contributor if approved medical board would recommend the total disability of that advocate while partial claim would be adjusted qua the partial disability. In that accord the principle of Arsh, defined in Section 337-Q, 337-R and 337-S of Pakistan Penal Code would apply.

17.7 After availing of full or partial benefit of group insurance, the beneficiary advocate shall not be the contributor of group insurance.

19.1 Every contribution shall be made directly in the separate bank account maintained for the purpose of benevolent fund or Group insurance, as the case may be and no cash amount would be paid or entertained.

19.2 The Bar Council may invest the collection of funds in any manner including investing in immovable property.

19.3 The contribution could be made on annual basis, or quarterly or monthly but entire annual contribution shall be paid on or before 31st December of every year for the contribution of next year. However provisions of section 34 (4) of The Act shall apply.

19.4 The contributor advocate, may, in writing, can nominate anyone as nominee with full benefit or may nominate more than one person as beneficiary of any specific percentage of benefit and at any time may change such nomination.

19.5 In case of death, the nominee of the deceased contributor may apply for the total benefit and said nominee(s) would be entertained as per will of contributor with warranted share. Anyhow the other successors in interest of deceased advocate may avail their legal remedies against the nominee(s).

19.6 If the deceased contributor had not nominated anyone, the successors of deceased advocate may apply with the support of family registration certificate issued by NADRA or court decree. The Bar Council shall disburse the shares of each successor as declared. Anyhow spouse of deceased advocate may obtain the share of minor children being natural or defecto guardian.

19.7 Death claim of contributor shall not be entertained unless the claimant provided the death certificate of deceased advocate issued by NADRA, original license/ original identity card issued by Bar Council; and condolence certificate from the bar association by whom the deceased advocate remained voter member.

19.8 The advocate or nominee/ successors of deceased advocate shall not be entitled for any relief if at the time of death of the advocate or his maturity, the name of the contributory advocate has already been removed from the roll or he has become disqualified to be enrolled as an advocate or against whom disciplinary action has been recommended to the tribunal or whose license had already been suspended continuously for more than three months.

19.9 In case of any reasonable suspicious, the Bar Council may hold any inquiry and ask for further documents but in that eventuality subject to furnishing indemnity bond or written assurance of any member 1/3 ad-hoc payment shall be made.

Signatures of the Applicant

(Date __/___/___)

APPENDIX-L

APPLICATION FOR REGISTRATION AS CONTRIBUTOR OF ADVOCATES BENEVOLENT FUND

(Rule 18.1)

Please register me as contributor of advocates benevolent fund subject to conditions laid down in Appendix-L-1 as well as chapter 18 of the Balochistan Legal Practitioners & Bar Council Rules, 2018. My personal information is as under:-

1. Name of the applicant _____
2. Father's/ husband's name_____
3. Nationality _____4. CNIC No._____
5. Date of birth._____ 6. Station _____
7. Email._____ 8. Cell No._____
9. Enrollment date as an advocate _____ Registration No._____
10. Enrollment date as an advocate _____ Registration No._____
11. Home Address_____
12. Mailing Address _____

16. I have thoroughly read the relevant rules and section and according to such law and rules I am quite eligible to become contributor of advocates benevolent fund.
17. I have deposit my annual contribution and shall be bound to deposit warranted contribution in every year much before 31st December.
18. In case of my death, claim may please be given to the following entity(ies) as my nominee:

i. Name of Nominee(s) _____
ii. Name of Nominee(s) _____
iii. Relation with Nominee(s) _____ Share of Nominee(s)_____
iv. CNIC(s) of Nominee(s) _____
v. Condition, if any _____

Signatures of the Applicant
(Date __/___/___)

FOR OFFICE USE ONLY

Fee deposit _____ Receipt No. _____ Date _____, _____ Bank

Section Officer Accounts
(Date __/___/___)

Medical Certificate (Attached/ Not required)

Section Officer benevolent fund
(Date __/___/___)

The application is hereby accepted (unconditional/ with condition to _____ _____)

Chairman benevolent fund

P.T.O

APPENDIX-L-1

Contribution, Terms And Benefits Of Benevolent Fund

1. Annual Contribution= Rs.2.000/ per annum

Or

2. Annual Contribution= Rs.4.000/ per annum

Special Rules:

18.6 All advocates who had joined any previous schemes may content and opt the same but if would make further contribution, regardless their contribution, shall be presumed that they had been making annual contribution since their enrolment as an advocate of sub ordinate court and who having less than 15 years standing shall presume that they had contributed Rs.2,000/ per annum while who having more than 15 years standing shall presume that they had contributed Rs.4,000/ per annum.

18.7 The Benevolent Fund shall be payable at the age of 70 years however after attaining 60 years of age any contributor may withdraw 50% of payable amount.

18.8 In case of death or attaining the maturity or right to withdrawal 50%, the total contribution shall be accounted and 10 times of that amount shall be paid.

18.9 If any contributor passed away within 10 years of enrolment, Rs.100,000/ would also be paid in addition to 10 times of his/her contribution.

General Rules:

18.2 A Separate account and bank account shall be maintained for advocate's benevolent fund whose signatories shall be the chairman of benevolent fund Committee and the Vice Chairman.

18.3 Every advocate in terms of application **Appendix-L** shall apply and pay to the Benevolent Fund, annually, monthly or at such other intervals as may be prescribed by Bar Council while amount of contribution and benefit shall be governed in accordance with **Appendix-L-1**.

18.4 Every contribution shall be made directly in the separate bank account maintained for the purpose of benevolent fund and no cash amount would be paid or entertained.

18.5 The funds shall be utilized for the relief of advocates and their families and by giving financial relief to the families of deceased advocates and making grants to advocates on special occasions.

19.1 Every contribution shall be made directly in the separate bank account maintained for the purpose of benevolent fund or Group insurance, as the case may be and no cash amount would be paid or entertained.

19.2 The Bar Council may invest the collection of funds in any manner including investing in immovable property.

19.3 The contribution could be made on annual basis, or quarterly or monthly but entire annual contribution shall be paid on or before 31st December of every year for the contribution of next year. However provisions of section 34 (4) of The Act shall apply.

19.4 The contributor advocate, may, in writing, can nominate anyone as nominee with full benefit or may nominate more than one person as beneficiary of any specific percentage of benefit and at any time may change such nomination.

19.5 In case of death, the nominee of the deceased contributor may apply for the total benefit and said nominee(s) would be entertained as per will of contributor with warranted share. Anyhow the other successors in interest of deceased advocate may avail their legal remedies against the nominee(s).

19.6 If the deceased contributor had not nominated anyone, the successors of deceased advocate may apply with the support of family registration certificate issued by NADRA or court decree. The Bar Council shall disburse the shares of each successor as declared. Anyhow spouse of deceased advocate may obtain the share of minor children being natural or defecto guardian.

19.7 Death claim of contributor shall not be entertained unless the claimant provided the death certificate of deceased advocate issued by NADRA, original license/ original identity card issued by Bar Council; and condolence certificate from the bar association by whom the deceased advocate remained voter member.

19.8 The advocate or nominee/ successors of deceased advocate shall not be entitled for any relief if at the time of death of the advocate or his maturity, the name of the contributory advocate has already been removed from the roll or he has become disqualified to be enrolled as an advocate or against whom disciplinary action has been recommended to the tribunal or whose license had already been suspended continuously for more than three months.

19.9 In case of any reasonable suspicious, the Bar Council may hold any inquiry and ask for further documents but in that eventuality subject to furnishing indemnity bond or written assurance of any member 1/3 ad-hoc payment shall be made.

Signatures of the Applicant
(Date __/___/___)

APPENDIX-M

DESCRIPTION OF FEES

1. **INTIMATION FEE**

(i) Upto 30 years age	Rs.2,000/-
(ii) Above 30 years to 35 years age	Rs.3,000/-
(iii) Above 35 years to 40 years age	Rs.5,000/-
(iv) Above 40 years to 45 years age	Rs.8,000/-
(v) Above 45 years to 50 years age	Rs.12,000/-

(vi) Above 50 years to 55 years age	Rs.16,000/-
(vii) Above 55 years to 60 years age	Rs.20,000/-
(viii) Above 60 years to 65 years age	Rs.30,000/-
(ix) Above 65 years to 70 years age	Rs.50,000/-
(x) Above 70 years age	Rs.70,000/-

2. ADVOCATE LOWER COURT

a. Enrollment Fee (License Included)	Rs.6,000/-
b. Identity Card Fee (1st or renewed)	Rs.1000/-
c. Contribution to Pakistan Bar Council	Rs.100/-
d. Degree Verification fee (within Balochistan)	Rs.1,000/-
e. Degree Verification fee (outside Balochistan)	Rs.2,500/-
f. Degree Verification fee (Foreign Verification)	Rs.10,000/-
g. **Benevolent Fund**:	
(i) Upto 30 years age	Rs.5,000/-
(ii) Above 30 years to 35 years age	Rs.10,000/-
(iii) Above 35 years to 40 years age	Rs.20,000/-
(iv) Above 40 years to 45 years age	Rs.30,000/-
(v) Above 45 years to 50 years age	Rs.50,000/-
(vi) Above 50 years to 55 years age	Rs.90,000/-
(vii) Above 55 years to 60 years age	Rs.150,000/-
(viii) Above 60 years to 65 years age	Rs.200,000/-
(ix) Above 65 years to 70 years age	Rs.250,000/-
(x) Above 70 years age	Rs.300,000/-

3. ADVOCATE HIGH COURT

a. Enrollment Fee (License Included)	Rs.14,000/-
b. Identity Card Fee (1st or renewed)	Rs.2,000/-
d. Contribution to Pakistan Bar Council	Rs.500/-
e. **LAWYERS WELFARE FUND**:	
(i) Up to 30 years age	Rs.500/-
(ii) Above 30 years to 35 years age	Rs.1000/-
(iii) Above 35 years to 40 years age	Rs.3,000/-
(iv) Above 40 years to 45 years age	Rs.5,000/-
(v) Above 45 years to 50 years age	Rs.10,000/-
(vi) Above 50 years to 55 years age	Rs.20,000/-
(vii) Above 55 years to 60 years age	Rs.40,000/-
(viii) Above 60 years to 65 years age	Rs.60,000/-
(ix) Above 65 years to 70 years age	Rs.80,000/-
(x) Above 70 years age	Rs.1,00,000/-

NOTE: ***In case of transfer from other provinces, Identity card and General Fund Fee would be levied in accordance with Clause 2&3.***

4. CERTIFICATES

(i) Experience Certificate	Rs.500/-
(ii) Certificate for grant of visa/QLTT	Rs.2,500/-
(iii) Certificate for Supreme Court	Rs.3,000/-

5. ISSUANCE OF NOC

(i) In case of other advocate	Rs.10,000/-
(ii) In Case of Advocate High Court	Rs.20,000/-

6. TRANSFER OF VOTER MEMBERSHIP FROM ONE BAR ASSOCIATION TO OTHER BAR ASSOCIATION

(i) In case of 1st transfer (other advocate)	Rs.3,000/-
(ii) In Case of 1st transfer (Advocate High Court)	Rs.5,000/-
(iii) In case of 2nd transfer (all advocate)	Rs.8,000/-
(iv) In Case of 3rd or subsequent transfer (all advocate)	Rs.10,000/-

7. FEE OF ELECTION PETITIONS

(i) In case of Tehsil Bar Association	Rs.5,000/-
(ii) In case of District Bar Association	Rs.10,000/-
(iii) In case of High Court Bar Association	Rs.20,000/-

8. FEE OF COMPLAINTS BEFORE EXECUTIVE COMMITTEE

(i) For Appointment of Election Observer	Rs.10,000/-
(ii) Misc. applications	Rs.3,000/-
(iii) Complaint against any member regarding the affairs dealt maliciously as member Bar Council	Rs.25,000/-

9. FEE OF COMPLAINTS

(i) Misconduct Complaints	Rs.1,500/-
(ii) Any other complaint not specified	Rs.1,000/-

10. VOTERS LIST FEE

(i) In case of Tehsil Bar Association	Rs.8,000/-
(ii) In case of District Bar Association	Rs.15,000/-
(iii) In case of High Court Bar Association	Rs.30,000/-

11. REORGANIZATION OF BAR ASSOCIATION

(i) In case of Tehsil Bar Association	Rs.10,000/-
(ii) In case of District Bar Association	Rs.20,000/-
(iii) In case of High Court Bar Association	Rs.30,000/-

12. AUDIT FEE

(i) In case of Tehsil Bar Association	Rs.10,000/-
(ii) In case of District Bar Association	Rs.20,000/-
(iii) In case of High Court Bar Association	Rs.30,000/-

13. SPECIAL AUDIT FEE UPON APPLICATION

(i) In case of Tehsil Bar Association	Rs.30,000/-
(ii) In case of District Bar Association	Rs.50,000/-
(iii) In case of High Court Bar Association	Rs.80,000/-

14. RESUMPTION OF PRACTICE BY AN ADVOCATE WHOSE LICENSE GOT SUSPENDED

(i) Resumption within 5 years from suspension	Rs.10,000/-
(ii) Resumption within 10 years from suspension	Rs.25,000/-
(iii) Resumption within 15 years from suspension	Rs.50,000/-
(iv) Resumption within 20 years from suspension	Rs.80,000/-
(v) Resumption within 25 years from suspension	Rs.100,000/-
(vi) Resumption within 30 years from suspension	Rs.150,000/-
(vii) Resumption within 35 years from suspension	Rs.180,000/-
(viii) Resumption after 35 years from suspension	Rs.200,000/-

15. RESTORATION OF REMOVAL CASES

(i) Restoration within 5 years from Removal	Rs.10,000/-
(ii) Restoration within 10 years from Removal	Rs.15,000/-
(iii) Restoration within 15 years from Removal	Rs.20,000/-
(iv) Restoration within 20 years from Removal	Rs.30,000/-
(v) Restoration within 25 years from Removal	Rs.40,000/-
(vi) Restoration within 30 years from Removal	Rs.50,000/-
(vii) Restoration within 35 years from Removal	Rs.70,000/-
(viii) Restoration after 35 years from Removal	Rs.1,00,000/-