

Bar Council of Assam, Nagaland, Mizoram, Arunachal Pradesh and Sikkim

Enrolment Rules

(U/S 28 (2) (c) read with Sec. 24 (1) (e) of the Advocates Act)

1. Application for admission as an advocate on the roll of this state Bar Council shall be made in the Form Prescribed by this Council which may be obtained on payment of cost stipulated by the Bar Council. The applicant shall submit the application enclosing therewith the documents mentioned in the Form and the enrolment and other fees required under the Advocates Act and the resolutions of the state Bar Council.
2. In the event the application is not enrolled or the applicant withdraws his application for enrolment, the Council shall refund the enrolment and other fee paid after deducting an amount as the Council may provide from time to time administrative charge.

In the event of withdrawal, the application for enrolment and the documents submitted therewith shall remain with the Council and not returned to the applicant.

The order of withdrawal shall be made by the enrolment committee.

3. The application shall be scrutinized by the office and after such scrutiny if it appears that the columns of the application have not been duly filled up or documents as required have not been furnished or the fees as required have not been paid or suffers from any other apparent defect or deficiency, the Secretary shall ask the applicant to meet the requirements within a period of one month or such other period as the Secretary may extend at the request of the applicant. If the defects or deficiencies are not met within the prescribed period, the Secretary may close the application and return the fees paid after deducting an administrative charge fixed by the Council. Before finally closing the application, the Secretary shall obtain approval of the Chairman of the Enrolment Committee. In the event of closure, the application and documents filed, shall not be returned.
4. If for any reason the application for enrolment cannot be finally disposed of for any defect in the enrolment application and the defect is not rectified within the time specified by the enrolment committee shall close the application and refund the fees paid after deducting an administrative charge fixed by the Council from time to time.
5. The application which does not suffer from any defect or deficiency as above, shall be placed before the enrolment committee which shall proceed to dispose of every application in accordance with the provision of the Act, the Rules made thereunder and the resolution passed and/ or direction given and/ or the principles laid down from time to time by the Bar Council and then in force.
6. Notwithstanding anything provided for refund of the enrolment fee in the foregoing rules, the applicant shall approach the Bar Council of India for refund of the enrolment fee paid for the Bar Council of India u/s 24 (1) (f) of the Advocates Act in the event the applicant is not enrolled or his application is withdrawn or otherwise closed or returned.
7. A person, who suffers from such disqualification at the time of making the application for enrolment which prevents an advocate from practicing under the Advocates' Act and the Rules, shall not be eligible for enrolment.
8. A person who is otherwise qualified for enrolment, but his conduct prior to 5 years of disposal of the application for enrolment is such that he does not deserve to be conferred the privilege of membership of the legal practitioners, shall not be enrolled.
Provided that before proposing to refuse enrolment, the enrolment committee shall obtain a confirmation of state Bar Council, which shall give a hearing to the applicant at the time of confirmation of proceeding.
9. Every person applying for admission as an advocate shall make such declaration and furnish such materials and documents as provided in the Application Form.
10. If the enrolment committee should be of the opinion that an application for admission ought to be rejected, it shall record its reasons and opinions and shall refer the application U/s 26 (2) of the Advocate Act for the opinion of the Bar Council of India, and dispose of the application in accordance with direction of Bar Council of India.
11. In the event of Enrolment Committee feeling any doubt or difficulty as to the eligibility of an applicant or as to the interpretation of any of the provisions of the Act, Rules, relating to enrolment or direction of the Bar Council of India or state Bar Council for clarification and shall finally dispose of the application in the light of the ruling and/ or direction given by the state Bar Council in this regard.
12. The enrolment committee may require any application to appear before it and furnish any other particulars as may be required; and make such inquiry as it may deem necessary.
13. On and from the date on which these rules come into force, all applications pending before this Bar Council shall be disposed of in accordance with the provisions of these rules.
14. On and from the date on which these rules comes into effect, all other rules made by this Council u/s 28 (2) (c) read with Sec. 24 (1) (c) of the Advocates' Act, stand repealed.