

THE PUNJAB LEGAL PRACTITIONERS AND BAR COUNCIL RULES, 1974

(Passed by Punjab Bar Council in its meeting held on 7.7.1974)

CHAPTER – 1

PRELIMINARY

1.1. These Rules may be called the Punjab Legal Practitioners and Bar Council Rules, 1974.

1.2. They shall come into force at once.

1.3. In these Rules unless there is anything repugnant in the subject or context:--

- (a) "Act" means the Legal Practitioners and Bar Councils Act, 1973 (Act XXXV of 1973);
- (b) "Advocate-General" means the Advocate-General of the Punjab;
- (c) "Bar Council" means the Punjab Bar Council;
- (d) "Bar Association" means a Bar Association recognized as such by the Bar Council;
- (e) "Chairman" means Chairman of the Punjab Bar Council;
- (f) "Committee" means a Committee constituted by the Bar Council;
- (g) "Form" means form appended to these Rules;
- (h) "Member" means a member of the Punjab Bar Council elected as such under Section 5, or who fills the vacancy of an elected member under Section 16(b);
- (i) "Rules" means the Punjab Legal Practitioners and Bar Council Rules, 1974;
- (j) "Secretary" means the person appointed as Secretary of the Bar Council and includes any other person to whom all or any of the functions of the Secretary are for the time being entrusted by the Bar Council or the Chairman;
- (k) "Section" means a section of the Act;
- (l) "Voter" means an Advocate whose name for the time being appears on the Punjab Provincial Rolls; and
- (m) "Vice-Chairman" means the Vice-Chairman of the Bar Council elected under Section 6 of the Act.

1.4. The terms defined herein shall, wherever the context so permits, have the same meaning as is assigned to them under the Act.

**CHAPTER – II
MEETINGS**

2.1. The first meeting of the Bar Council shall be held within a month of the commencement of the term of the Bar Council.

2.2. Ordinary meetings of the Bar Council may be convened by the Chairman, or in case he is for some reason unable to act, by the Vice-Chairman:

Provided that not more than two months shall elapse between any two meetings of the Bar Council.

2.3. The Chairman and in his absence the Vice-Chairman shall convene a meeting of the Bar Council requisitioned by at least ten Members within seven days of the requisition but in case of emergency the requisitioned meeting shall be convened within three days. In case the requisitioned meeting is not convened within the prescribed time any two of the requisitionists may convene the requisitioned meeting and all expenses incurred in that behalf shall be borne by the Bar Council.

2.4. Notice required for a meeting of the Bar Council shall be of eight days and for a meeting of a Committee, of three days. The agenda for the meeting shall be served eight days before the meetings of the Bar Council and three days in the case of a meeting of Committee:

Provided that in case of emergency, notice for a shorter period shall be sufficient.

2.5. Quorum for a meeting of the Bar Council shall be one third of the total number of Members of the Bar Council and for a meeting of a Committee shall unless otherwise provided, be one third of the Members of the Committee:

Provided that where a meeting of the Bar Council cannot be held for want of quorum it shall stand adjourned to the next day when the quorum of the adjourned meeting shall be one fourth of the total number of the Members.

2.6. A meeting of the Bar Council shall be presided over by the Chairman, in his absence by the Vice-Chairman, and in the absence of both by a Member voted to the Chair by the Members present. A meeting of a Committee shall be presided over by the Chairman of the Committee or in his absence, by a Member voted to the Chair by the Members present.

2.7. Business at a meeting shall be transacted in accordance with the agenda issued:

Provided that any other business, may with the permission of the Chairman of the meeting, be considered:

Provided further that if the majority of the Members present agree, the matter shall be considered.

2.8. Decisions of any meeting shall be by a majority vote. Voting shall be by show of hands. In the case of equality of votes, the Chairman of the meetings shall be entitled to a second vote.

2.9. Notices shall be served either personally or through registered post or by such other method as the Bar Council may determine.

2.10. All proceedings of a meeting shall be entered in the Minute Book to be maintained by the Secretary and the record of the proceedings shall be prepared under the directions of the Chairman of the meeting and shall be signed by him and shall be put up for confirmation at the next ensuing meeting. All Members of the Bar Council or the Committee, as the case may be, shall be entitled to inspection of the Minute Book at all reasonable times.

2.11. Any matter determined by a resolution of the Bar Council shall not be re-opened within three months of the date of the resolution unless two third of the total number of Members make a requisition in writing to that effect.

CHAPTER - III

CHAIRMAN, VICE-CHAIRMAN AND SECRETARY

3.1. The Chairman shall be responsible for ensuring the compliance with the provisions of the Act and the Rules. He shall exercise the power and perform the functions assigned to him by the Act and the Rules.

3.2. The Vice-Chairman shall have the responsibility and powers of the Chairman under these rules, and shall discharge the functions of the Chairman only in case the Chairman is incapable of acting. He shall be *ex-officio* member of every Committee constituted under Rule 4.1 and shall be responsible for co-ordinating the functioning of all Committees.

3.3. There shall be a Secretary of the Bar Council to be appointed by the Bar Council. In case of emergency, the Chairman may nominate any person to discharge the functions of the Secretary till the next meeting of the Bar Council when the matter will be placed before it.

3.4. Subject to the provisions of the Act and the Rules the Secretary shall, under the supervisory control of the Executive Committee, exercise such powers and such functions as may be entrusted to him by the Bar Council.

3.5. Notices of the meetings of the Bar Council and of its Committees shall be issued by the Secretary.

CHAPTER - IV

COMMITTEES

4.1. Any Committee constituted by the Bar Council under Section 10(3) should not comprise of more than five Members, including the Chairman of the Committee.

¹4.2. The Bar Council shall constitute the following committees:--

1. Anti-Corruption Committee
2. Benevolent Fund Committee
3. Finance Committee
4. Human Rights Committee
5. Inter Provincial Bar Councils Relationing Committee
6. Land Acquisition Committee
7. Legal Education Committee
8. PLJ Committee
9. Rules Committee
- ²10. Free Legal Aid Committee
- ³11. Publication Committee
12. Seminar & Symposium Committee
13. The Seminar & Symposium and Coordination & Implementation Committees abolished and the assignment entrusted to the Executive Committee to be discharged under the Supervision of the Vice Chairman.

4.3. The Chairman of every Committee constituted under Rules 4.1 shall unless elected by the Bar Council, be elected by the Members of the Committee concerned.

⁴[4.4. The terms of every Committee shall be one year].

4.5. Meetings of a Committee may be convened by the Chairman of the Committee and such meetings shall also be called on requisition by two Members of the Committee.

4.6. The business of a Committee shall be transacted in a meeting of the Committee: Provided that where it is expedient to transact business by circulation, they may obtain the views of the Members of the Committee by circulation and take a decision accordingly. A decision so taken shall be deemed to have the same force as if taken in a meeting of the Committee in case the views of the Members are unanimous.

4.7. A Committee shall have power to decide upon its own procedure in matters not covered by the Rules.

4.8. Unless otherwise directed by the Bar Council, every Committee shall submit reports of its proceedings to the Bar Council in the following

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1. Substituted by B.C. meeting dated 27.11.2004 vide Notification No.830 dated 11.1.2005.
 2. Added by B.C. meeting dated 21.1.2007.
 3. Added by B.C. meeting dated 21.1.2007.
 4. Amended by B.C. Meeting 30-1-1995 (Notification dated 11-1-95)

manner, (a) a comprehensive and clear enunciation of the question considered by the Committee shall be set out; (b) as far as practicable, specific issues should be dealt with separately and arguments for and against each proposal should be set out; (c) a detailed statement should be set out of the date upon which the Committee has applied its mind and the conclusion arrived at as a result of such consideration and further wherever opinions of Bar Associations or any other person have been elicited the substance or the opinion and the analysis thereof; (d) a resolution setting for the recommendations which the Committee adopts shall be forwarded with the Report; (e) the opinion of the Committee can be dissented from any Member of the Committee and he may append a note of dissent which shall form part of the Report.

4.9. Every Committee constituted under Rule 4.1, shall present to the Bar Council before the end of every quarter a report of its working for approval.

4.10. The Bar Council may assume to itself the functions and powers of any such Committee that either fails to present a quarterly report or is not, in the opinion of the Bar Council, discharging its functions, whereafter a new Committee shall be constituted by the Bar Council.

4.11. Subject to the supervision and general control of the Bar Council, the Executive Committee shall, in addition to the functions entrusted to it under the Act and the Rules, have the following functions and power; (a) To supervise and deal with all matters regarding administration of the Bar Council; (b) To recommend to the Bar Council the qualifications, terms and conditions of the staff of the Bar Council; (c) Subject to the approval of the Bar Council at its next ensuing meeting, to appoint, suspend, remove and dismiss the staff of the Bar Council: Provided that no appointment or dismissal in relation to a person drawing salary above Rs.500/- per mensem shall be made by the Executive Committee without prior approval of the Bar Council: Provided further that in case of emergency the Chairman of the Executive Committee may exercise these powers; (d) To implement the decisions of the Bar Council; (e) To receive and in consultation with the Vice-Chairman and the Members of the District concerned, deal with the representations and complaints of Advocates and resolutions of the Bar Associations in relation to the Courts and Executive. The action taken under this clause shall be laid before the Bar Council at its next meeting; (f) In consultation with the Vice-Chairman and Member of the District concerned to mediate disputes between Advocates *inter se*, between the Advocates and the Bar Association or between the Bar Associations *inter se*; (g) To constitute sub-committee and to entrust such of its functions thereto as may be necessary; (h) To advise the Bar Council in all matters relating to its functions; (i) To institute and defend suits and other proceedings on behalf of the Bar Council and for this purpose to appoint Advocates, agents and to authorize any person to sign and verify the pleadings and to appear and act on behalf of the Bar Council: Provided that the fee payable to the Advocate for such services shall be settled after prior Constitution with the Chairman and the Vice-Chairman. The information in regard to this matter will be laid before the Bar Council in its next meeting; and (f) To perform such functions as the Bar Council may entrust to it.

CHAPTER – V
ENROLLMENT OF ADVOCATES

¹[5.1. Any person qualified for admission as an Advocate under Section 26 of the Legal Practitioners & Bar Councils Act, 1973, may make an application in Form 'A' to the Bar Council if he proposes to practice generally within the jurisdiction of the Bar Council. All such applications shall be placed before an Enrollment Committee.]

5.2. The application shall be accompanied by: (a) Satisfactory evidence of the applicant's date of birth; (b) satisfactory evidence of qualifications under Section 26; (c) two testimonials from persons in good position as to the character and conduct of the applicant; (d) an affidavit stating, fully, truly and accurately if any criminal proceedings or proceedings for professional misconduct were instituted against him anywhere and if so with what result, (e) receipt of payment of fee of ²[Rs. 200/-] or any amount prescribed in this regard (f) an undertaking that he would become a member of a Bar Association within six months after his enrollment; (g) list of cases in which he has assisted his senior duly signed by the senior giving the nature of each case; (h) an attested copy of passport size photograph; (i) an affidavit stating as to what the applicant was doing during the period of gap if there was a considerable gap in between his academic examinations; (j) a character and good conduct certificate from the employer if he had been in service anywhere; (k) a certificate of training from the senior in form 'B' Explanation: The date of birth recorded in the Matriculation Certificate shall be presumed to be correct unless determined otherwise by the Bar Council; and ³[(l)].

(a) deposit receipt of the amount contributed under Rule 2.2 of the (Pb) Advocates Benevolent Fund Rules, 1974.

⁴5.2A. (1) every apprentice (except a person mentioned in Rule 5.2B, infra), shall, before being admitted as an advocate, have taken training regularly for a continuous period of six months as a trainee in the Chamber of an advocate, who has been pleader or an advocate for a period of not less than ⁵[10] years.

A trainee may take training with more than one advocates for a total period of six months which are substantially continuous. Intimation signed by the advocate and the trainee, about joining such advocate should be sent to the Secretary within one month of the commencement of training. In case, the intimation is not received within prescribed time, the period shall run from the date of receipt of intimation in the Bar Council Office.

⁶[Provided that a trainee may begin his training after passing the LL.B LL.B Part-I & II Examinations and taking the LL.B Part-III Examination.]

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1. Subs. By B.C. meeting dated 25.7.2009, *vide* Notifn. dated 4.8.2009.
 2. Subs. by B.C. Meeting dated 1.6.1995.
 3. Substituted by B.C. Meeting 30.12.97, *vide* Note: No, 247 Dated 6.1.98.
 4. Subs. *vide* Notification No.4287 dated 10.7.1988.
 5. Subs. by B.C. Meeting dated 24.5.1998/Notification No.5197 dated 11.7.1990.
 6. Added *vide* Notification No.10546 dated 9.8.99/B.C. Meeting dated 24.7.99.

Provided further that no advocate shall take more than three trainees at a time and in case he has more than three trainees at any particular time, then the first three in the order in which they were taken, shall be regarded as trainees.

(2) An advocate with whom a person received training in accordance with sub-rule (1) of Rule 5.2A, shall give a certificate in form 'B' attached to these rules, and shall specify in the certificate or as a separate annexure thereto, at least 20 cases in which he had the assistance of the trainee, indicating title/nature of the case, and giving summary of each case.

(3) An advocate, who gives a false certificate in this behalf shall be guilty of professional misconduct.

(4) The enrolment as an advocate of an applicant/candidate whose intimation is received w.e.f. 1.1.2002 and issuance of enrolment certificate to him shall be subject to his completion of six months apprenticeship, qualifying, the written examination in not more than four attempts within a period of 2½ years of the date of submission of intimation form and passing the Viva Voce Examination failing which he shall not be eligible to reappear in the written Examination.

(5) At the time of submission of Intimation form, in addition to the prescribed intimation fee, the applicant/candidate shall deposit a sum of Rs.300/- as price of the book-let containing questionnaires and first written examination fee:

Provided that the written examination fee for each subsequent attempt shall be Rs. 200/- to be deposited by an applicant/candidate.

(6) The Questionnaire shall consist of the questions pertaining to the subjects enumerated in sub-rule(9).

(7) The written examination shall be of the Objective type/Multiple choices and held quarterly at former Divisional Headquarters provided that an applicant/candidate shall have to obtain 45% marks to get through the written examination.

(8) The Legal Education Committee in coordination with the Enrolment Committee shall be responsible for holding the written examinations, preparation of question papers, appointing examiners for evaluating the answer-books and compiling the result. The Legal Education Committee may however co-opt five members of the Bar Council of the former Division concerned by rotation for the aforesaid purpose:

Provided that the result of each written examination shall be declared within a period fortnight of the examination and the result intimated to the applicants/candidates through registered post; and

Provided further that the Legal Education Committee shall be competent to issue, from time to time, directions/instructions for holding the written examinations and other allied matters.

(9) After passing the written examination, every applicant applying for admission as an advocate shall have to pass, after due verification of the

validity of his training by the office, a Viva Voce Examination held by the Examination Committee concerned in its meeting, under the directions and supervision of the Enrollment Committee, in the following subjects:-

- (i) Code of Civil Procedure, 1908
- (ii) Code of Criminal procedure, 1898
- (iii) Limitation Act, 1908
- (iv) Constitution of the Islamic Republic of Pakistan, 1973
- (v) Legal Practitioners & Bar Councils Act, 1973, and the Rules framed thereunder;
- (vi) Canons of Professional Conduct and Etiquette of Advocates as framed by the Pakistan Bar Council, 1976.
- (vii) Court Fees Act, 1870 and Suits Valuation Act; and
- (viii) Qanun-e-Shahadat Order, 1984

¹(10) **Inspection:** There shall be two inspections of the Law Colleges in each academic year by a Committee comprising of two Members of the Bar Council of the former Division where the Law College is situated. The Committee will submit the inspection report to the Legal Education Committee for onward transmission to the University Grants Commission, or the Chancellor of the University, or the Secretary Education of the Province alongwith its remarks of suggestion, if any.

²5.2B. The following persons shall be exempt from training and examination provided in Rule 5.2A, supra,--

- (1) applicants who have received, an LL.M degree from any University in Pakistan or a University recognized under Section 26(1)(c)(iii) of the Act, or a degree or diploma which is declared by the Pakistan Bar Council to be equivalent to that degree;
- (2) applicants who have for at least four years held a judicial office in Pakistan or who have for a like period held a post in the service of Pakistan, the duties whereof entail interpretation or drafting of laws;
- (3) applicants, who after having been called to the Bar in England have completed a full one year training with a senior counsel in England which training thereafter entitles them to appear independently in Courts in England; and
- (4) applicants, who after having been enrolled as practicing lawyers in any place not within Pakistan, have to the satisfaction of the Enrollment Committee of the Bar Council concerned, practiced there for full one year.

³[5.3. All applications for admission as an Advocate of the High Court shall be accompanied by; (a) an affidavit in respect of duration of practice in

1. Subs. vide Notification dated 3.12.2001 (B.C. Meeting dated 24.11.2001).
2. Subs. vide Notification No. 4287 dated 10 7.1988.
3. Substituted by B.C. Meeting 25.7.2009/Notifn. Dated 4.8.2009.

the Courts subordinate to the High Court; (b) two certificates from Advocates of the High Court; (c) a receipt of the payment of a sum of Rs. 900/- or any amount prescribed in this regard; (d) an application made by a person dismissed from service shall also be accompanied by a copy of the charge sheet, the statement of charges and reply thereto, if any, by the applicant and the final order ¹[(e) A deposit receipt of the amount contributed under Rule 2.2, the (Pb.) Advocates Benevolent Fund Rules, 1974] and ²[(f) a deposit slip of an amount determined under Rule 5.2(1) for enrolment under selection 27(c)]:

³[Provided that the enrolment as an advocate of the High Court shall be subject to the applicant's having qualified for the interview conducted by the Examination Committee of the Punjab Bar Council.]

5.4. Applications for admission under Section 27, clause (c), shall be forwarded to the High Court and after approval therefrom shall be dealt with in accordance with the procedure herein provided for enrollment of Advocates.

5.5. The Secretary shall before forwarding the application to the Enrollment Committee ensure that the applicant is qualified and not disqualified in terms of Sections 26 and 27 and the Enrollment Committee shall, before granting the application, ensure that the applicant has undergone such training and passed such examination as may be prescribed.

5.6. The Enrollment Committee may, before it passes an order granting the application or returning it to the Bar Council, make such summary enquiry as it thinks fit.

5.7. The Enrollment Committee shall dispose of the application within six weeks of the receipts of the application by it.

5.8. Where the Enrollment Committee of Bar Council grants the application, a Certificate of Enrollment shall be issued to the applicant in the prescribed form.

5.9. Where the Enrollment Committee returns an application under Section 31 the same shall be considered and disposed of by the Bar Council and its decision shall forthwith be communicated to the applicant.

5.10. The Enrollment Committee may refuse to enroll a person otherwise qualified, on the grounds of his removal from the Rolls of Advocates or legal practitioners any where, or the pendency of criminal proceedings or proceedings for professional misconduct against him any where or on any other sufficient and reasonable ground.

⁴[5.10A. An Advocate on the roll of one Provincial Bar Council, may apply for being placed on the roll of the Punjab Bar Council, subject to the

1. Substituted by B.C. Meeting 25.7.2009/Notifi. Dated 4.8.2009.

2. Added by Notification No. 5685 dated 31.5.1981.

3. Added by Notification No. 21275, Pb.B.C. dated 4.11.2006.

4. Subs. *vide* Notification dated 4.8.2009 by B.C. Meeting dated 25.7.2009.

payment of Rs. 500/- and furnishing of No-Objection Certificate from the said Council:

Provided that a note shall be made against his name in the Roll of the Punjab Bar Council that he is already on the Roll of another Bar Council.]

5.11 The Secretary shall issue a receipt for payment of Annual fee for Renewed Licence in Form 'C' to every Advocate paying annual fee ¹[of Rs. 330/-] and a Certificate in Form 'D' to every Advocate permitted to practice before the High Court.

²(i) Every practicing advocate must possess identity card issued by the Punjab Bar Council.

(ii) There shall be two types of Identity Cards of different colours for advocates of the Lower Courts and High Courts.

(iii) Every Advocate of the High Court will be issued a permanent identity card by the Punjab Bar Council.

(iv) Every Advocate of the Lower Court will be issued identity card annually showing thereon the period of expiry of renewed licence, OR

shall be issued identity card as a miniature of his renewed licence with photograph affixed thereon.

(v) The identity card to be issued to the Advocate of the High Court shall bear the following particulars:-

1. Registration Number.
2. Name.
3. Father's/Husband's Name.
4. Date of Birth.
5. Date of enrolment as an Advocate of the High Court.
6. Ordinary place of business.
7. Signature of the Advocate.
8. Photograph.
9. Signature of the issuing authority-Secretary+Chairman Executive Committee.

(vi) The identity card to be issued to the Advocate of the Lower Court shall have the following particulars:-

1. Registration Number.
2. Ledger No. (L.C.)
3. Name.
4. Father's/Husband's Name
5. Date of Birth.

1. Ins. by B.C. Meeting dated 30.5.2008 (w.e.f. 1st January 2009).

2. Added *vide* Notification No. 5253 dated 31.6.1986, effective from 27.1.1983.

6. Date of enrolment.
7. Ordinary place of business.
8. Signature of the Advocate
9. Photograph
10. Valid upto 31st December of the ensuing year

OR

The miniature of the following licence with photograph to be dispatched to Advocate through VPP

I, _____, Secretary, do hereby certify that Mr. _____ s/o, d/o, w/o _____ resident of _____ enrolled on _____ has paid the Annual Fee for the year _____ and is entitled to practice during the year _____ in the Courts subordinate to the Lahore High Court.

By Order of the
Bar Council
Secretary.

(vii) Every practicing lawyer whose name is appearing on the Roll of the Advocates maintained by the Punjab Bar Council, shall be allotted registration number.

(viii) The Registration Number so allotted to a lawyer will be the number of the Benevolent Fund Scheme.

(ix) Every practicing lawyer throughout the Province shall obtain the identity card duly signed by the person/persons so authorized by the Bar Council on a payment of.

- a. ¹[Rs. 70/-] for Lower Court.
- b. ²[Rs. 200/-] for High Court.

Provided that no identity card shall be issued to any lawyer unless he has cleared the Benevolent Fund dues and annual fees due.

(x) Every practicing lawyer throughout the Province of Punjab shall apply to obtain identity card within 90 days from the date of enforcement of this scheme:

Provided that if an advocate fails to obtain his identity card within the time prescribed, his name shall be struck off the Roll of Advocates after giving him a reasonable opportunity of being heard on a notice under Section 34 of the Legal Practitioners and Bar Council Act.

(xi) All Advocates shall quote/print their registration number, so allotted, on his letter-pads as well as on vakalatnamas.

(xii) Every lawyer, while exercising his right of vote in election of the Bar Council/Bar Association shall produce, ³[on demand] his identity card

1. Substituted by B.C. Meeting dated 30.5.2008.
2. Substituted by B.C. Meeting dated 30.5.2008.
3. Deleted by Notification No.11591, dated 29.11.1990.

¹[issued by the Bar Council] and the Presiding Officers shall refuse his participation in the election on non-production of the identity card.

²[Provided that no renewal licence and licence to practice in the High Court shall be issued to any Advocate if he had not by then, applied for the issuance of the Identity Card and obtained the same:]

³[Provided further that the election board constituted under Art. 46 of the Memorandum of Association, 1981 shall enter the registered No. of the eligible voter and shall obtain his signatures on the counterfoil or the eligible voters list]

5.12. An Advocate who fails to pay the annual fee or any other fee or contribution provided by the Rules by the 31st of December of the preceded year shall pay a late fee of Rs. ⁴[10/-] per month of delay subject to maximum of Rs. ⁵[60/-] or such amount as may be prescribed in this regard.

5.13. A person who had been enrolled as a pleader by the High Court before coming into force of the Act irrespective of whether he was not entitled to appear before a Court at the time when the Act came into force, shall be entitled to appear before a Court at the time when the Act came into force shall be entitled to be enrolled as an Advocate on payment of a fee Rs. ⁶[100/-] out of which Rs. 25/- shall be enrolment fee and Rs. ⁷[75/-] annual annual fee which will be enable him to practice till the 31st of December of the year in which he deposits the fee.

5.14. An Advocate ⁸[shall] apply that his licence be suspended because he intends to discontinue his practice in order to carry on business or to join some other profession or vocation and he ⁹[shall] apply also for termination of such suspension. An advocate ¹⁰[shall] apply that his name be altogether removed from the rolls.

¹¹[5.15. The Enrolment Committee may suspend the licence of an advocate where it is established after due notice to the Advocate concerned that the Advocate has entered Govt. employment or any other employment, business, vocation or profession not connected with law.]

5.16. All disputes relating to seniority as an Advocate shall be determined by the Enrolment Committee. In cases the contestants are not entered in the Roll in the correct order, amendment in the Roll will be made giving effect to the decision of the Enrolment Committee by pasting correction slips in the Roll.

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1. Added by Notification No.12499/Pb.B.C. dated 18.7.2006.
 2. Added by Notification No.7040, dated 21.9.83 to be effective from 21.7.83.
 3. Added by Notification No.11591, dated 29.11.1990.
 4. Subs. by Notification No.2776, dated 21.2.1993.
 5. Ibid.
 6. Subs. By Notification dated 28.6.1990 (w.e.f. 1.1.1991).
 7. Ibid.
 8. Subs. By Notification No.1317 dated 7.2.2003 (B.C. Meeting dated 30.11.2002).
 9. Ibid.
 10. Ibid.
 11. Subs. by Notifi. No. _____ dt. _____ (B.C. Meeting 30.7.2011).

5.17. All additions, alterations and corrections made in the Roll shall be communicated to the High Court within thirty days of the additions, etc.

CHAPTER - VI

DISCIPLINARY PROCEEDINGS

6.1. A complaint against an advocate shall be filed with five copies and shall contain clearly the charge or charges against such Advocate and shall be accompanied by all documents, or copies of documents that are available to the complainant; and in case where the complaint is not by a Court or by a public servant acting in his official capacity, shall also be supported by an affidavit as to facts.

6.2. For the purpose of deciding whether the complaint against an advocate is to be summarily rejected, the complaint shall be placed before the ¹[Committee] which may unless it rejects it summarily, ask the Advocate to reply the allegations and after enquiry may refer the matter to the ²[appropriate committee] under Section 41.

6.3. Where a reference is made to a ³[Committee or] Tribunal under under Section 41, all the relevant documents shall be forwarded alongwith the reference.

6.4. ⁴[A Committee to which a reference is made under Section 41 shall complete the proceedings before it within eight weeks of the receipt of the same and submit its report.]

6.5. Before the Tribunal, the proceedings against an Advocate shall be conducted by the Advocate General, or by an Advocate appearing on his behalf. The complainant shall also be entitled to appear in person, or through counsel, but the Advocate-General shall have a prior right to conduct the proceedings against the Advocate, subject to any directions by the Tribunal.

6.6. On receipt of a reference under Section 41, the Chairman of the Tribunal shall fix a date for the hearing of the case not earlier than twenty one days and not later than sixty days from such receipt and a notice of the date fixed shall be served on the Advocate concerned as well as the Advocate-General alongwith copies of the record that has been forwarded to the Tribunal, so as to reach the Advocate as well as Advocate-General not less than fourteen days before the date fixed. Notice of the date shall be served on the complainant in case the complaint is not by a Court or by a public servant in his official capacity. Notice of the date should also be put up on the Notice Board of the Bar Council.

6.7. The Advocate concerned shall be entitled to file a reply to the allegations against him whether or not he has already filed a reply before the Bar Council. He shall deliver such reply alongwith three copies to the Secretary at least seven days before the date of hearing fixed by the Tribunal

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1. Before the Disciplinary Committee as provided by Ordinance XVII of 1982.
 2. The Tribunal as provided by Ordinance XVII of 1982.
 3. Becomes redundant by Ordinance XVII of 1982.
 4. Ibid.

and the Secretary shall deliver the copies to the Advocate-General and the complainant at least three days before such date of hearing.

6.8. The Tribunal shall determine the matter before it on oral evidence and on documents in accordance with the provisions, of the Evidence Act, 1972 and the Tribunal shall follow generally and to the extent practicable the procedure provided for the suits in the Code of Civil Procedure, 1908, but the Tribunal shall also have power to call for or permit affidavits and allow documents to be proved by affidavits: Provided that the party affected by an affidavit shall have the right to cross-examine the deponent.

6.9. The Advocate concerned shall be a competent witness on his own behalf and shall be liable, if he appears as a witness, to be cross-examined, but he shall not be compelled to appear as a witness.

6.10. The Secretary of the Bar Council shall be ex-officio Secretary of the Tribunal and shall be responsible for service of notice issued by the Tribunal and for compliance with the rules in this Chapter.

CHAPTER - VII BAR ASSOCIATION

7.1. Every association of Advocates ordinarily practicing at a particular place shall apply to the Bar Council for the recognition of the Bar Association. The application shall be filed by the President or Secretary of the Bar Association: Provided that no application shall be entertained in respect of a place where there is already existing a recognized Bar Association:

¹[Provided further, except as aforesaid, a body or association of advocates using the words "Association", "Bar", "Council", "Pakistan" or "Punjab" in its name shall be illegal. Any Advocate who is or claims to be member or office bearer of such association shall be guilty of professional misconduct.]

7.2. The application shall be accompanied by a copy of the Constitution of the Bar Association alongwith a resolution of the Bar Association seeking recognition: Provided that no Bar Association shall be recognized unless it is functioning at a place where there is a regular civil revenue or original Court.

7.3. The application shall be laid before the Executive Committee which may after considering the same, require amendments to be made in the Constitution of the Bar Association, prior to further consideration of the application, or may refuse to recognize a Bar Association. Such decisions shall not take effect unless approved by the Bar Council.

7.4. The Bar Council shall decide the application for recognition of a Bar Association within three months of the submission of the application and in case it fails to decide within this period the members of that Bar Association will be regarded as members of a recognized Bar Association till the question of recognition of such Bar Association is decided by the Bar Council.

1. Added by Notification No. 2069 dated 1.6.1980.

7.5. 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 this shall not prevent the recognition of a High Court Bar Association at a place where there is a functioning Bench of the High Court.

7.6. Where there are more applications than one for recognition from the same place, the Executive Committee shall decide which applicant Bar Association shall be recognized.

7.7. Every recognized Bar Association shall within four weeks of making any amendment in its Constitution, forward a copy of the same to the Bar Council.

7.8. Any member of Bar Association aggrieved by an act or omission of the Bar Association may within one month of such act or omission appeal to the Bar Council where such act or omission violates the Constitution of the Bar Association.

7.9. Every recognized Bar Association must furnish to the Bar Council by ¹[5th November] of every year a list of its members entitled to practice as Advocates and as Advocates of the High Court alongwith the dates of their enrollment. A list of office-bearers shall be furnished within a month of the annual elections.

7.10. No person shall practice as an Advocate unless he is a member of a recognized Bar Association.

7.10(a). An Advocate may become member of more than one Bar Association.

²[7.10(b). On expiry of three years, after enrolment or as the case may be and depositing the prescribed fee, an advocate shall be eligible to file fresh declaration after its approval by the Bar Council by 30th September of the year by visiting the office of the Punjab Bar Council himself and furnishing a NOC from the President of the Bar where he is/was practicing and proof of membership of the Bar where he intends to become voter member. He shall, also change the place of business in accordance with filing the above said fresh declaration. Copies of such declaration shall be sent to the President of both the aforesaid Bar Associations:

Provided that on fulfilling the pre-requisites, an advocate, shall be eligible to file fresh declaration after 30th September of the year, but he shall not be eligible to exercise the right of vote in the ensuing elections of the Bar.]

³[Provided, also, that condition of three years stay for filling fresh declaration shall not apply to the Advocates seeking transfer of voter membership to a newly established Bar Association, but before the issuance of the final list of voters.

7.11. Where it is reported by a Bar Association that any Advocate has ceased to be its member, the name of such Advocate may, after notice to

1. Subs. by B.C. Meeting dated 1.4.2006 & 25.11.2006.
2. Subs. by Notification No.12499/Pb.B.C. dated 18.7.2006.
3. Added by B.C. Meeting dt. _____, Notification dt. 24.5.2010.

the Advocate, be struck off the Roll unless he establishes that he continues to be a member of any other recognized Bar Association.

7.12. It will be sufficient compliance with the requirements of Rule 7.10 if within six months of being enrolled as an Advocate a person applies for being admitted as a member of such Bar Association and his application has not been dismissed.

7.13. The applicant shall, within six months of his enrollment as an Advocate, inform the Bar Council of the date of his application for admission as a member of such Bar Association and shall forward a copy of the receipt of such application duly signed by the Secretary of such Bar Association. The licence of the Advocate who has not, without reasonable excuse, so intimated the Bar Council shall stand automatically suspended: Provided that it shall be restored on his showing reasonable cause for the failure.

7.14. Every Advocate whose application for admission as a member of a Bar Association has been dismissed by the Bar Association shall have a right of appeal to the Bar Council. The appeal shall be filed within two months of the communication to him of the order appealed against. The appellate authority may, for sufficient cause, condone the delay in the filing of the appeal, if any.

7.15. No removal of an Advocate from the memberships of a Bar Association shall be recognized by the Bar Council unless it is authorized by the Constitution of the Bar Association, or is for non-payment of the dues of the Bar Association, or for misappropriation of the funds or the property of the Bar Association or for gross misconduct.

7.16. In case the name of an Advocate is removed from the roll of members of a Bar Association he shall have like remedies as he would have if his application for admission as a member of Bar Association was dismissed and the appellate authority shall have similar powers.

CHAPTER - VIII

FIRMS OF LAWYERS

8.1. Advocate desirous of forming a firm of lawyers or to associate with a firm of lawyers, for the practice of law in the jurisdiction of the Bar Council shall apply to the Bar Council for the registration of the firm or their association.

¹[8.2. The application for registration shall be accompanied by a deposit slip of Rs. ²[15,000/-] as Registration fee, a copy of the partnership deed and the following information: (a) name of firm (b) place of office or office of the firm (c) the names of the partners with their dates of birth, academic qualifications and standing at the Bar (d) the shares of the partners; and (e) the contribution to be made by each partner.]

8.3. The application shall be placed before the Bar Council which may call for such further information as it may think necessary.

1. Subs. by B.C. Meeting dated 31.7.2004.

2. Subs. by B.C. Meeting dated 1.7.2008.

8.4. Advocates Already associated together for the purpose of practicing law, shall within three months of the promulgation of these Rules, apply for the registration of their firms and the provision herein contained shall apply *mutatis mutandis* to such application.

8.5. All applications for registration of the firm shall be taken up for consideration within two months of their presentation and shall be disposed of within four months and in case of a firm existing on the date of promulgation of these Rules such firm may continue its business till the disposal of the application.

8.6. The Bar Council may at any time call for such information as it may consider necessary from a registered firm and may also, for sufficient cause to be recorded in writing, after due notice to the firm, impose any condition on the firm or suspend the registration of any firm. On suspension of registration, the Advocates constituting such firm shall cease to practice as partners in the area within the jurisdiction of the Bar Council from such date as may be specified in the order.

8.7. Any firm of lawyers not registered under the Act and the Rules framed thereunder in any other province of Pakistan shall, where it is desirous of commencing or continuing the practice of law within the jurisdiction of the Bar Council, apply for registration to the Bar Council and the provisions herein contained shall apply *mutatis mutandis* to such application.

CHAPTER - IX

¹[9.1. Member shall be entitled to return Air-ticket of the economy class.]

²[9.2. Where the Air Service is not available, the Member shall be paid T.A. on the basis of average.]

CHAPTER - X

FINANCES

10.1. Subject to the control and direction of the Bar Council the ³[Finance Committee], shall be responsible for realizing all the moneys due to the Bar Council and for the management, administration and utilization of the funds of the Council.

10.2. ⁴[The Finance Committee shall prepare and submit for approval of the Bar Council by 1st of June every year a budget statement of expected receipts and expenditure for the coming financial year.]

10.3. The Secretary shall be disbursing authority, but no payment shall be made out of the funds of the Council; except under order of the Chairman: Provided that no payment shall be ordered unless it is authorized under Rules 10.5 to 10.7: Provided further that notwithstanding the above, the

1. Subs, vide Notification dated 14.12.1995.
2. --do--
3. Subs. in B.C. Meeting dated 8.11.1975.
4. Subs. vide B.C. meeting dated 8.11.1975.

¹[Vice Chairman or Chairman Executive Committee] may sanction expenditure upto Rs. ²[50,000/- p.a.]

10.4. The moneys credited to the funds of the Bar Council shall be kept in such bank or banks and the account shall be operated by such person as the Bar Council may specify.

10.5. The Bar Council may invest any portion of the funds of the Bar Council in such manner as it may think proper.

10.6. The Bar Council may constitute a separate fund for any special purpose, which shall be administered and regulated in such manner as the Bar Council may specify.

10.7. The moneys from time to time credited to the fund of the Bar Council shall be applied in the following order:- (a) the payment to the Pakistan Bar Council of ³[thirty three percent of the total sum received by it during that financial year as enrollment fee and fees for permission to practice before the High Court; (b) in the payment of salaries and allowances to the staff of the Council; (c) in the fulfillment of any obligation and in the discharge of any duty imposed on the Bar Council under the Act and the Rules; and (d) in meeting the expenditure declared by the Bar Council to be an appropriate charge on the fund.

10.8. A Cash book shall be maintained by the Bar Council as in Form 'E'.

10.9. The receipt of all cash and cheques received for credit to the fund of the Bar Council shall be entered on the receipt side of the Cash book as soon as the receipt is issued.

10.10. The disbursement of all moneys from the fund of the Bar Council shall be entered on the expenditure side of the Cash Book as soon as the disbursement is made.

10.11. At the end of each day, the totals of the amounts received and spent during the day shall be worked out and the balance struck.

10.12. The amount remitted to the Bank each day shall be shown in the appropriate column of the Cash Book indicating the number and date of the deposit voucher with which the amount is thus remitted.

10.13. All entries in the Cash Book shall be checked by the Secretary item by item with reference to the receipts and vouchers and attested in token of check. The Cash Book shall be signed by the Secretary daily.

10.14. At the end of each month the balance shall be struck and the closing balance verified with reference to the Bank Pass Book.

10.15. The totals of various columns in the Cash Book shall be carried forward into next month's account.

1. Subs. by B.C. meeting dated 30.5.2008.
2. Subs. by B.C. meeting dated 30.5.2008.
3. Enhanced to 33 percent by Ordinance XL of 1978.

10.16. At the end of each quarter a Quarterly Statement of Account giving full details on income and expenditure shall be compiled and laid before the Bar Council.

10.17. At the end of each financial year, an Annual Account in Form 'F' shall be compiled.

10.18. The Annual Account so compiled shall be audited by a Chartered Accountant within the meaning of the Chartered Accountants Ordinance, 1961, appointed by Bar Council.

10.19. The Auditor appointed under Rule 10.18 shall examine the Annual Account together with the receipt and vouchers relating thereto, and shall at all reasonable times have access to the books, accounts and other documents of the Bar Council, and may in relation to such accounts, examine any officer or employee of the Bar Council.

10.20. The Auditor shall report to the Bar Council upon the Annual Accounts and in his report he shall state whether in his opinion the Annual Account is a full and fair account containing all necessary particulars and properly drawn up so as to exhibit a true and correct view of the finances of the Bar Council.

10.21. The Chairman shall furnish to each Member at least fifteen days before the date of the meeting of the Council called in the beginning of the financial year a copy of the audited Annual Account.

CHAPTER - XI

MISCELLANEOUS

11.1. A Member shall vacate his seat if he:- (a) resigns his seat by delivery of his resignation to the Secretary and the resignation shall be effective from the time it is so delivered, or (b) is removed from the Rolls maintained by the Bar Council and the Pakistan Bar Council.

11.2. A Member who is suspended as an Advocate shall not act as a Member during the period of his suspension but shall vacate his seat only if his suspension is for a year or more or covers the whole of his remaining term as a member.

¹["11.2A. A Member of a Committee or a Chairman of a Committee constituted under Section 10 of the Legal Practitioners & Bar Council Act, 1973 shall cease to be the Member OR Chairman of the said Committee in the eventuality of vote of no-confidence passed against him by majority of votes, by show of hands, by the Members in a meeting of the Bar Council."]

11.3. Registers shall be maintained with respect to the disciplinary proceedings and all the records of the disciplinary proceedings shall be preserved till they are ordered to be destroyed by the Bar Council.

11.4. All parties to proceedings shall be entitled on payment of the prescribed fee to certified copies of all proceedings before the Bar Council or the Tribunal, or any Committee of the Bar Council. Any other person

1. Added by B.C. meeting dated 3.4.2004 vide Notification No.5055/86 B.C. dated 6.4.2004.

interested may subject to the order of the Chairman or of the Bar Council be supplied with a certified copy of any such proceedings as is mentioned above. The same fee shall be charged for the certified copies as are charged by the High Court.

11.5. All applications filed in the disciplinary proceedings by any party shall be accompanied by a payment of Rs. 5/- except in case of an application filed by the Advocate-General or any Advocate appearing on his behalf.

11.6. An Advocate appearing before the Bar Council or before a Tribunal or Committee of the Bar Council except the Advocate-General or an Advocate appearing on his behalf, shall file a power of attorney along with a deposit of Rs. 5/-.

11.7. Parties to proceedings shall be entitled to inspection of the record on payment of Rs. 5/- per day or part thereof.

11.8. An Advocate is entitled to a duplicate copy his Enrollment Certificate on filing an application to the Secretary of the Bar Council and upon payment of a fee of Rs. ¹[400/-].

²[Provided that fee of Rs. 2,000/- shall be levied for issuance of a certificate under Rule 107(1)(c)(ii) of the Pakistan Legal Practitioners and Bar Councils Rules, 1976.]

11.9. All moneys required to be paid under these Rules shall be paid into the account of the Bar Council or to a person authorized in this behalf by the Bar Council and the receipt for the money paid shall be attached to the proceedings in respect of which the payment is made.

11.10. The Legal Practitioners and Bar Council Rules, 1969 insofar as they relate to the functions of the Punjab Bar Council are hereby repealed.

FORM 'A'

**APPLICATION FOR ENROLLMENT
PASSPORT SIZE PHOTOGRAPH**

1. Name of the Applicant.
2. Date of Birth.
3. Father's/Husband's Name.
4. Nationality of Applicant.
5. Qualifications for enrollment with dates on which acquired.
6. Whether the application is a person exempt from training and examination.
7. Whether the applicant proposes to practice generally within the jurisdiction of the Bar Council.

1. Subs. by B.C. Meeting dated 31.5.2008 w.e.f. 1.7.2008.

2. Subs. by B.C. Meeting dated 31.5.2008 w.e.f. 1.7.2008.

8. Whether the applicant is engaged in any business, profession or vocation, if so, the nature thereof and the place at which it is carried on.
9. Whether the applicant has been declared insolvent.
10. Whether the applicant has been dismissed from the service of Government or of a public statutory corporation or private service, if so, date and reason thereof.
11. Whether the applicant has been convicted of any offence, if so, date and particulars thereof.
12. Whether the applicant is enrolled as an Advocate on the roll of any other Bar Council.
13. Whether an application for enrollment has previously been rejected by a Bar Council.

Signature _____

Home Address _____

FORM 'B'

CERTIFICATE OF TRAINING

I, _____ Advocate, do hereby certify that Mr./Mrs. _____ son/daughter/wife of _____ has training with me for a period of six months (from _____ to _____) in accordance with Rule 5.2A of the Legal Practitioners and Bar Council Rules, 1974.

That at the time when I took him as a pupil, I had been entitled to practice as a pleader/or as an Advocate for a period of not less than five years.

That I did not have more than three pupils during the time of his pupillage.

That although I had more than three pupils during the whole of portion of his pupillage he was for the whole or for that portion of the period of his pupillage one out of the first three pupils considered in the order in which they were taken as pupils.

That I was practicing at the Bar during the whole period of pupillage and that a written intimation as to his having joined me as a pupil signed by both of us, had been sent to the Secretary Bar Council within one month of the commencement of pupillage.

Specify in the form below at least twenty cases in which the Advocate had the assistance of the pupil.

Dated: _____

ADVOCATE

LIST OF CASES

Sr. No. Parties Names Nature of Case Name of Court

FORM 'C'

No. _____

PUNJAB BAR COUNCIL

I, _____ Secretary of the Punjab Bar Council do hereby certify that _____ son/daughter/wife of _____ resident of _____ enrolled on _____ has paid the Annual Fee for the year 20 _____ as provided by Rule 5.11 of the Punjab Legal Practitioners and Bar Council Rules, 1974 and is entitled to practice during the year 20 _____ in the Courts subordinate to the Lahore High Court.

By Order of the Bar Council.

FORM 'D'

No. _____

PUNJAB BAR COUNCIL

The Punjab Bar Council hereby certifies that _____ son/daughter/wife of _____ who is an Advocate of Bar Council has now been admitted as an advocate of _____ High Court. He is entitled to appear, act and plead before any Court or Tribunal in Pakistan except the Supreme Court of Pakistan.

Given under the common Seal of the Punjab Bar Council this _____ day of _____ 20 _____.

By Order of the Bar Council.
`SEAL' Secretary

FORM 'E'

CASH BOOK

Page No. _____

BANK CASH BOOK

1	2	3	4	5	6	7
Date of Remittance	Particulars of Depositor	Amount Deposited	Name of Bank	Folio	Amount Remitted	Total

GENERAL CASH BOOK
CASH ACCOUNT OF _____ FOR THE MONTH OF _____ 20__

1 Month/Date	2 Receipt	3 Folio	4 Amount	5 Total	6 Month/Date	7 Payment
		8 Folio	9 Amount	10 Total		

FORM 'F'

ANNUAL ACCOUNT FOR THE YEAR _____

1 Description	2 Income	3 Description	4 Expenditure
1. Fees		1. Establishment	_____
(a) Enrolment Fees	_____	2. Auditor	_____
(b) Fee for Permission to practice in High Court.	_____	3. Contingencies	_____
(c) Renewal Fees	_____	4. Miscellaneous	_____
(d) Miscellaneous Fees	_____		
2. Grants	_____		
3. Donations	_____		
4. Subscriptions	_____		

Total Income Opening Balance _____

Total Expenditure Closing Balance _____

Signature of the Secretary

Signature of the Chairman.
