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(TO BE PUBLISHED IN THE DELHI GAZETTE PART IV – EXTRAORDINARY)  
GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI  
(Law, Justice & Legislative Affairs Department)

No. F.2/19/Lit./01/543-560

Dated the 25 January 2002

NOTIFICATION

No. F. F.2/19/Lit./01/ - In exercise of the powers conferred by section 35 read with the Government of India, Ministry of Home Affairs Notification No. U-11030/1/2001-UTL dated the 25<sup>th</sup> October, 2001, the Lieutenant Governor of the National Capital Territory of Delhi, hereby makes the following rules, namely:-

1. **Short title and commencement.**- (1) These rules may be called the Delhi Advocates' Welfare Fund Rules, 2001.  
(2) They shall come into force on the date of their publication in the Delhi Gazette.
2. **Definitions.**- In these rules, unless the context otherwise requires,-
  - (a) "Act" means the Advocates' Welfare Fund Act, 2001 (45 of 2001);
  - (b) "Delhi" means the National Capital Territory of Delhi;
  - (c) "Secretary" means the Secretary of the Trustee Committee of the Delhi Advocates' Welfare Fund;
  - (d) "section" means a section of the Act;
  - (e) Words and expressions used in these rules, but not defined therein, shall have the same meanings as are assigned to them under the Act.
3. **Credit to Fund.**- (1) The Secretary shall collect all sums specified in sub-section (2) of section 3 and deposit the same in the bank account of the Trustee Committee in a scheduled bank forthwith.  
(2) Separate accounts shall be maintained for the sums received under each of clauses (a) to (j) of sub-section (2) of section 3.
4. **Office.**- The Office of the Trustee Committee shall be at Delhi as may be notified by the Lieutenant Governor, Delhi.
5. **Annual statement of accounts.**- The Trustee Committee shall prepare annual statement of income and expenditure in Form-I.
6. **Preparation of Budget estimates.**- The Secretary shall prepare budget estimates of income and expenditure for the coming year, which shall be placed before the Trustee Committee for approval before the 31<sup>st</sup> March every year.
7. **Administrative expenditure, payments and investments.**- All administrative expenditure, payments and investments shall be approved by the Trustee Committee. An expenditure or payment of a contingent nature may be sanctioned by the Chairperson up to twenty thousand rupees and by the Secretary up to ten thousand rupees, which shall be placed before the Trustee Committee for ratification at its next meeting.
8. **Annual Report.**- The Trustee Committee shall prepare an annual report for financial year before the end of the 30<sup>th</sup> June of the following year in Form-II. An

authenticated copy of the annual report shall be submitted to the Government within next fifteen days.

9. **Meetings.**- (1) The date and time for a meeting of the Trustee Committee shall be fixed by the Secretary with the prior approval of the Chairperson and the Secretary shall give seven clear days' notice to the Members.

(2) In case of urgency, the Chairperson can convene a meeting of the Trustee Committee at a short notice.

(3) An agenda for every meeting of the Trustee Committee shall be prepared by the Secretary with the approval of the Chairperson and shall be circulated to the Members.

(4) The quorum necessary for the transaction of business at a meeting of the Trustee Committee shall be three Members.

(5) Where a Meeting has been adjourned for lack of quorum, the business which would have been brought before the original meeting if there had been a quorum present thereat, shall be brought before, and may be transacted at an adjourned meeting.

(6) The Chairperson or in his absence such other Member present as is decided by the Trustee Committee shall preside at every meeting of the Trustee Committee.

(7) All matters brought before any meeting of the Trustee Committee shall be decided by a majority of the votes of the Members present and voting.

(8) The Chairperson or the person presiding over a meeting shall have and exercise a second or a casting vote in all cases of equality of votes.

(9) It shall be open to any Member to raise any matter not included in the agenda with the permission of the Chairperson.

(10) The minutes of the meeting shall be recorded by the Secretary and circulated to the Members, as early as possible, after approval by the Chairperson.

(11) At the next meeting of the Trustee Committee, the approved minutes of the previous meeting shall be read and confirmed.

(12) Meetings of the Trustee Committee shall, ordinarily, be held at its Office.

10. **Maintenance of Records and Registers by Trustee Committee.**- (1) The Secretary shall maintain the following records and registers namely:-

(i) Register of meetings of the Trustee Committee and minutes of such meetings;

(ii) Register of the sums paid to the Fund under separate heads specified in sub-section (2) of section 3;

(iii) Register of all sums collected under separate heads under section 18;

(iv) Register of members of the Fund;

(v) Register of payments to members of the Fund, their dependents, nominees and legal heirs under separate heads;

(vi) Register of members of the Fund under suspension;

(vii) Register of members of the Fund who have ceased to practice;

- (viii) Register of all enquiries made by the Trustee Committee;
- (ix) Register of the staff appointed by the Trustee Committee;
- (x) Day Book;
- (xi) Ledger;
- (xii) Cash Book;
- (xiii) Receipt Book with inner foil;
- (xiv) Voucher file;
- (xv) All Forms hereby prescribed;
- (xvi) Record of all forms, application and other documents received;
- (xvii) Record of all correspondence and other business transacted by the Trustee Committee;
- (xviii) Other registers, files and records as may be required.

(2) Registers, etc. shall be maintained in the format as laid down by the Trustee Committee in consultation with the chartered accountant appointed under sub-section (2) of section 13.

11. **Application for recognition of an association of advocates.**- An association of advocates functioning in any court, tribunal or other authority shall apply for recognition to the Bar Council of Delhi under sub-section (1) or sub-section (2) of section 16, in Form III.

12. **Recognition.**- (1) The Bar Council of Delhi may issue a certificate of recognition in Form IV, after such enquiry as it deems necessary, on the application made under rule II.

(2) The Bar Council of Delhi may recognize more than one association of advocates functioning at a particular court, tribunal or other authority.

(3) The Bar Council of Delhi shall prepare a list of recognized associations of advocates and update the same from time to time.

13. **Application for membership of Fund.**- (1) An advocate shall apply for admission as a member of the Fund, under sub-section (1) or sub-section (2) of section 18, in Form V.

(2) An advocate having membership in more than one association of advocates shall so apply from any one of them.

(3) Any member of the Fund, who fails to pay the annual subscription for any year before the 31<sup>st</sup> day of March of that year, shall be liable to be removed from the membership of the Fund.

14. **Application for re-admission as a member of Fund.**- An advocate shall apply for re-admission as a member of the Fund, under sub-section(7) of section 18, in Form VI.

15. **Certificate of membership.**- The Trustee Committee shall issue a certificate of membership in Form VII.
16. **Reduction of amount on failure to intimate removal or suspension.**-
  - (1) Every member of the Fund shall within fifteen days of his removal from the State roll under section 26A of the Advocates Act, 1961 or suspension of practice, intimate the same to the Trustee Committee.
  - (2) If a member of the Fund fails to intimate under sub-rule (1), the amount payable to a him under the Act may be reduced, under sub-section (12) of section 18, only after conducting a suitable inquiry and the reduction shall not exceed twenty-five per cent of such amount.
17. **Cessation of practice and payment.**-
  - (1) A member of the Fund, his nominee or legal heir, as the case may be, shall intimate to the Trustee Committee as to his cessation of practice, along with the necessary proof thereof.
  - (2) The Trustee Committee shall, after such inquiry as it deems necessary, pay to the claimant, the amount at the rate specified in Schedule I to the Act within thirty days of the receipt of intimation.
18. **Schemes for benefits of members of the Fund.**- The Trustee Committee may introduce schemes for any benefit for the members of the Fund and their dependents, under section 24.
19. **Disposal of claims.**- An application claiming *ex gratia* grant under section 19 or any benefit under any scheme under section 24, after being satisfied about the genuineness of the claim, shall be disposed of by the Trustee Committee within thirty days of the receipt thereof.
20. **Appeal to the State Bar Council.**-
  - (1) An appeal to the Bar Council of Delhi against any decision or order of the Trustee Committee, under section 25, shall be in Form VIII.
  - (2) The Bar Council of Delhi may devise its own procedure for hearing and disposal of an appeal.
  - (3) An appeal shall be disposed of by the Bar Council of Delhi within sixty days from the date of filing thereof.
21. **Value and Design of Stamps.**-
  - (1) Stamps shall be printed in the denominations of five rupees and ten rupees.
  - (2) Every stamp shall have the emblem of the Bar Council of Delhi with the inscription of the words "The Bar Council of Delhi" along with the words "Advocates' Welfare Fund Stamp" as well as its value in terms of rupees.

22. **Accounts of Stamps.-**

(1) The Bar Council of Delhi, the Bar Associations and the Advocates' Associations recognized by the Bar Council under section 16 shall keep accounts of the stamps in Form - IX and shall also maintain the following:

- (i) Register showing the stock of stamps;
- (ii) Register of sale/purchase of stamps;
- (iii) Register showing printing/distribution of stamps;
- (iv) Day Book;
- (v) Ledger;
- (vi) Cash Book;
- (vii) Receipt Book with inner foil;
- (viii) Voucher file;
- (ix) Other registers, files and records as may be required.

(2) Registers, etc., shall be maintained in proper format.

23. **Cancellation of Stamps.-** (1) No *vakalatnama* requiring a stamp under the Act shall be filed or acted upon in any proceeding in any court, tribunal or other authority until the stamp has been cancelled.

(2) Such officers as the court, tribunal or other authority may, from time to time, appoint shall, on receiving any such *vakalatnama*, forthwith effect such cancellation by punching out the figure and the part removed by punching shall be burnt or mutilated or otherwise destroyed.

FORM-I  
(See rule 5)

**INCOME AND EXPENDITURE ACCOUNT**  
FOR THE YEAR ENDED 31<sup>st</sup> MARCH, \_\_\_\_\_

Income	Rupees	Expenditure	Rupees
	Total		Total

Signature

Name

Designation  
(With Seal)

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FORM -II  
(See rule 8)  
**ANNUAL REPORT**

Particulars to be reported:

- (a) Financial Highlights
- (b) Range of activities undertaken to promote welfare of members.
- (c) New assets added during the year
- (d) Any other matter(s) as may be considered by the "Committee" and approved for reporting in the Annual Report.

**Signature**

**Name**

**Designation  
(With Seal)**





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**FORM IV**  
[See rule 12(1)]

**BAR COUNCIL OF DELHI**

**Certificate of Recognition**

The Bar Council of Delhi do hereby certify that the .....  
Association is recognized under sub-section (4) of section 16 of the Advocates' Welfare  
Fund Act, 2001 and its Recognition No. is .....

Given under my hand and seal of the Bar Council of Delhi dated this the  
..... day of ..... 200.....

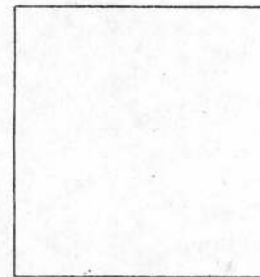
.....(Seal)

**Chairman**

**FORM V**  
[See rule 13(1)]

**Application for admission as a member of the Fund under sub-section (1) or sub-section (2) of section 18**

The Secretary,  
Trustee Committee,  
..... Delhi Advocates' Welfare Fund,  
.....(Office address).



Sir,

I apply for admission as a member of the Fund:

1. Name of the applicant (in block letters).....
2. Father's /Husband's Name : .....
3. Age and Date of Birth(attach proof):.....
4. Address(residence) ..... PIN .....
- Telephone..... Fax..... E-Mail.....
  
- Address(office) .....PIN .....
- Telephone..... Fax..... E-Mail.....
  
5. Date of Enrolment as an Advocate and its Number with the Bar Council (attach copy of Enrolment Certificate)
6. Date since practising as Advocate :.....
7. Usual place(s) of practice (also give name(s) of Court/Tribunal/Other authority)  
.....  
.....
  
8. Name of the Association of Advocates of which the applicant is a member through which the applicant claims benefit under the Act.  
.....  
.....

- 9. Whether practice discontinued for any period and reasons therefor : .....
- 10. Whether the applicant is in part/full-time service; if yes, give particulars: .....
- 11. Name and address of the nominee(s) ; the amount or share payable to each of the nominees: .....
- 12. Name, age and other particulars of dependent : .....
- 13. Mode of payment of application fee : .....

**DECLARATION**

- (a) I hereby declare that the above particulars are true to my personal knowledge.
- (b) I hereby undertake to abide by the provisions of the Act, Rules and directions, etc., made thereunder.
- (c) I further declare that if any statement of fact stated in this Application is found to be false at any time, my name shall be liable to be struck off as a member of the Fund.

Dated : \_\_\_\_\_ Signature of the Applicant Advocate

Forwarded with the certificate that the applicant is a member of the Association of Advocates mentioned in column 8 of this Application.

Dated : \_\_\_\_\_ President / Vice-President /Secretary of the Association of Advocates

(Seal of the Association of Advocates)

**FORM VI**  
**(See rule 14)**

Application for re-admission as a member of the Fund under sub-section (7) of section 18

The Secretary,  
Trustee Committee,  
..... Delhi Advocates' Welfare Fund,  
.....(Office address).

Sir,

I apply for admission as a member of the Fund:

1. Name of the applicant (in block letters).....
2. Particulars of admission as a member of the Fund(attach Original Certificate) :  
.....
3. Reasons for non-payment of the annual subscription .....  
.....
4. Mode of payment of the arrears and re-admission fee : .....

**DECLARATION**

I, ..... hereby do solemnly affirm that the particulars furnished above are true and correct.

Place : .....

Dated : ..... Signature of the Applicant

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**FORM VII**  
[See rule 15]

**TRUSTEE COMMITTEE**  
**DELHI ADVOCATES' WELFARE FUND**

**Certificate of Member ship of the Fund**

Mr. / Ms. \_\_\_\_\_ The Trustee Committee of the Delhi Advocates' Welfare fund certify that  
Advocates' Welfare Fund under section 18 of the Advocates' Welfare Fund Act, 2001  
and his/her Membership NO. is \_\_\_\_\_

Given under my hand and seal of the Trustee Committee.

Dated this the \_\_\_\_\_ day of \_\_\_\_\_ of the year \_\_\_\_\_

Seal

Chairperson

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**FORM VIII**  
**[See rule 20 (1)]**

Before the Bar Council of Delhi \_\_\_\_\_

**MEMORANDUM OF APPEAL**

[Under section 25 of the Advocates' Welfare Fund, Act, 2001]

A.W.F. Appeal No. ....of .....

Between:

(Name and Address of the Appellant) .....Appellant

and

(Name and Address of the Trustee Committee) .....Repondent

1. The appellant files this appeal against the decision/order dated .....of the Respondent Trustee Committee.
2. Date of receipt of decision/order.
3. Statement of facts.
4. Grounds of appeal.
5. The appeal is in time.
6. The appellant has paid twenty-five rupees as fees for the appeal on.....by.....(mode of payment).
7. Reliefs claimed.

Place:

Date:

( Appellant)

( )

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I, \_\_\_\_\_, do hereby solemnly affirm that the particulars furnished above are true and correct.

Appellant

( )

**Enclosures:**

1. Certified copy of the decision/order of the Trustee Committee.
2. Proof of payment of twenty-five rupees.

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FORM-IX  
(See rule 22)  
BALANCE SHEET AS ON 31<sup>st</sup> MARCH

Liabilities	Rupees	Assets	Rupees
	Total		Total

Signature

Name

Designation  
(With Seal)

By order and in the name of  
Lt. Governor of the NCT of  
Delhi,

*Dinesh Dayal*

(Dinesh Dayal)  
Secretary (Law, Justice & L.A.)



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No:F. 2/19/Lit./01

Dated the 25 January, 2002

Copy to:-

1. Secretary to the Hon'ble Lt. Governor, National Capital Territory of Delhi, Raj Niwas, Delhi.
2. Secretary, Law, Justice & Company Affairs, GOI, Shastri Bhawan, New Delhi.
3. Pr. Secretary to Chief Minister, Government of National Capital Territory of Delhi, Delhi Secretariat, New Delhi.
4. O.S.D. to Chief Secretary, Government of NCT of Delhi, Delhi Secretariat, New Delhi.
5. Registrar General, High Court of Delhi, New Delhi
6. District & Sessions Judge, Tis Hazari, Delhi.
7. Divisional Commissioner, Government of NCT of Delhi, Tis Hazari, Delhi.
8. Pr. Secretary (Home), Government of Delhi, Delhi Secretariat, New Delhi.
- 9. All Pr. Secretaries/Secretaries/Joint Secretaries/Deputy Secretaries/ Under Secretaries, Government of NCT of Delhi, Delhi.
10. All Heads of Departments, Government of NCT of Delhi, Delhi.
- 11. The Deputy Secretary (GAD), Government of NCT of Delhi, Delhi Secretariat, New Delhi (in duplicate) along with 2 copies of Hindi version with a request for publication in Delhi Gazette and 15 copies of the Gazette Notification may be supplied for official use.
12. Additional Standing Counsel (Criminal), Govt. of NCT of Delhi, High Court of Delhi, New Delhi.
13. Additional Standing Counsel (Civil), Govt. of NCT of Delhi, High Court of Delhi, New Delhi.
14. PAO-X, Govt. of NCT of Delhi, Delhi Secretariat, New Delhi.
15. Guard file.
- 16. Secretary, Bar Council of Delhi, High Court of Delhi, New Delhi.
17. Secretary, Bar Council of India.
18. Director, CFSL.

*Dinesh Dayal*  
( Dinesh Dayal )  
Secretary (Law, Jus. & L.A.)

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(TO BE PUBLISHED IN PART-IV OF THE DELHI GAZETTE – EXTRAORDINARY)

**GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI  
(DEPARTMENT OF LAW, JUSTICE & LEGISLATIVE AFFAIRS)  
8<sup>TH</sup> LEVEL, C-WING, DELHI SECRETARIAT, NEW DELHI**

No.F.219/Litigation/01/1932-51

Dated the 08<sup>th</sup> April 2009

**NOTIFICATION**

No.F.219/Litigation/01/ - In exercise of the powers conferred by section 35 of the Advocates' Welfare Fund Act, 2001 (45 of 2001) read with the Government of India, Ministry of Home Affairs Notification No.U-11030/1/2001-UTL dated the 25<sup>th</sup> October, 2001, the Lt.Governor of the National Capital Territory of Delhi is pleased to make the following rules to amend the Delhi Advocates' Welfare Fund Rules, 2001, namely-

1. Short title and commencement.- (1) These rules may be called the Delhi Advocates' Welfare Fund (Amendment) Rules, 2009.  
  
(2) They shall come into force on the date of their publication in the Delhi Gazette.
2. Amendment of rule 9. - In the Delhi Advocates' Welfare Fund Rules, 2001 (hereinafter referred to as "the principal Rules"), in rule 9, for sub-rule (8), the following sub-rule shall be substituted, namely: -  
  
" (8) The Chairperson or the person presiding over a meeting shall exercise his voting right only in a case where there is a tie in the votes cast, for the purpose of resolution of the same."
3. Amendment of rule 12.- In the principal rules, in rule 12,-  
  
(a) for sub-rule (1), the following sub-rule shall be substituted, namely:-  
  
" (1) The Bar Council of Delhi may, after such inquiry as it deem necessary on the application made under rule 11, issue a certificate of recognition in Form IV within four months of the date of application .";  
  
(b) after sub-rule (3), the following sub-rule shall be inserted, namely:-  
  
" (4) The Bar Council of Delhi on the application of any association of advocates, whose application for recognition has been rejected by the Council, may review its own order and make such order as it considers just :  
  
Provided that the application for review shall be made by the aggrieved association within thirty days from the date of communication of the order of rejection."
4. Amendment of rule 14.- In the principal rules, for rule 14, the following rule shall be substituted , namely:-  
  
"14. Application for re-admission as a member of the Fund.- (1) To ensure continuity of the membership of the Fund, an advocate shall pay the annual subscription within fifteen days from the 31<sup>st</sup> day of March of every year.  
  
(2) An advocate who is removed from the membership of the Fund shall, within six months from the date of such removal, apply for re-admission as a member of the Fund under sub-section (7) of section 18, in Form VI alongwith the payment of the amount specified in that sub-section and interest on arrears at the rate of three percent per annum at the time of re-admission."

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5. Amendment of rule 15.- In the principal rules, in rule 15, for the words and figures "membership in Form VII." occurring at the end, the words and figures "membership in Form VII, within six months of the date of application" shall be substituted.
6. Amendment of rule 16.- In the principal rules, in rule 16, in sub-rule (1), for the word "fifteen" occurring after the words "shall within" and before the word "days", the word "forty-five" shall be substituted.
7. Amendment of rule 19.- In the principal rules, in rule 19, for the word "thiery" occurring after the word "within" and before the word "days", the word "thirty" shall be substituted.

By order and in the name of the Lt.Governor  
of the National Capital Territory of Delhi,

S.Rao.

(Savita Rao)

Jt.Secretary(Law, Justice and L.A.)

No.F.219/Litigation/01/

deputy law / 1932-51

Dated the 08<sup>May</sup> April 2009

Copy forwarded to the:-

1. Pr. Secretary to the Hon'ble Lt.Governor, National Capital Territory of Delhi, Raj Niwas, Delhi.
2. Secretary, Ministry of Home Affairs, Govt. of India, North Block, New Delhi
3. Secretary, Ministry of Law, Justice & Company Affairs, Govt.of India, Shastri Bhawan, New Delhi.
4. Pr.Secretary to Chief Minister, Govt.of NCT of Delhi, Delhi Secretariat, New Delhi.
5. Secretary to the Law Minister, Govt.of NCT of Delhi, Delhi Secretariat, New Delhi.
6. Secretary to the Finance Minister, Govt.of NCT of Delhi, Delhi Secretariat, New Delhi.
7. O.S.D to Chief Secretary, Govt.of NCT of Delhi, Delhi Secretariat, New Delhi.
8. Registrar General, High Court of Delhi, New Delhi.
9. Pr.Secretary(Home), Govt.of NCT of Delhi, Delhi Secretariat, New Delhi.
10. District & Sessions Judge, Tis Hazari, Delhi.
11. Divisional Commissioner, Govt.of NCT of Delhi, Tis Hazari, Delhi.
12. All Pr.Secretaries/Secretaries/Joint Secretaries/Deputy Secretaries/Under Secretaries, Govt.of NCT of Delhi, Delhi.
13. All Heads of Departments, Govt.of NCT of Delhi, Delhi.
14. The Deputy Secretary (GAD), Govt.of NCT of Delhi, Delhi Secretariat, New Delhi (in duplicate) along with 2 copies of Hindi and English version with the request for publication in the Delhi Gazette and 15 copies of the Gazette Notification may be supplied to this Department for official use.
15. Standing Counsel (Criminal), Govt.of NCT of Delhi, High Court of Delhi, New Delhi.
16. Standing Counsel (Civil), Govt.of NCT of Delhi, High Court of Delhi, New Delhi.
17. PAO-X, Govt.of NCT of Delhi, Delhi Secretariat, New Delhi.
18. Secretary, Bar Council of India, 21 Rouse Avenue, Institutional Area, New Delhi-2
19. Secretary, Bar Council of Delhi, High Court of Delhi, New Delhi.
20. Director, Forensic Science Laboratory, Government of NCT of Delhi, Sect. 14, Rohini, Delhi
21. Guard file

S.Rao.

(Savita Rao)

Jt.Secretary(Law, Justice and L.A.)