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THE BAR COUNCIL OF RAJASTHAN
HIGH COURT BUILDINGS
JODHPUR - 342001

e-mail : Secretary @ barcouncilofrajasthan.org
website: www.barcouncilofrajasthan.org

Ref. No. BCR/Verification/2017/5182

Dated: 28/08/2017

The Presidents/Secretaries
of all the Bar Associations in the State.

Sub: Compliance of the Order dated 23.8.2017 passed by Hon'ble Supreme Court of India in Transferred Case (Civil) No.126 of 2015 Ajayinder Sangwan and Ors., V/s Bar Council of Delhi & Ors.

Sir,

In pursuance of Order dated 23.8.2017, it is informed to all the Advocates who have not submitted so far, to submit their complete application forms for verification of their degrees under the Bar Council of India Certificate and Place of Practice (Verification) Rules, 2015 within 15 days from publication of notice/advertisement in newspapers. The applications which have been submitted but are having defects should remove all the defects, which have already been intimated and uploaded on our website within 15 days from publication of notice/advertisement.

It is further informed that in lieu of above, this State Bar Council has published a Notice dated 26.08.2017 in the Times of India (English edition) and Rajasthan Patrika (Hindi edition) (in all editions) on 27.08.2017. A copy of the same is enclosed herewith for your ready reference.

You are therefore requested to kindly give the wide publicity of the Order dated 23.8.2017 passed by the Hon'ble Supreme Court of India amongst the Members of your Bar and also place the same to the Notice Board of your Bar Association, so that Advocates who have not yet applied for verification under the Bar Council of India Certification and Place of Practice (Verification) Rules, 2015 may apply within stipulated period. The Advocates who have already applied for verification, but their applications are in defects are also requested to remove their defects. The office has sent the letters to all the concerned in this regard. The list of incomplete/ defective applications is available on the website of this State Bar Council.

A copy of Order dated 02.05.2017 and 23.8.2017 is enclosed herewith for your ready reference.

Yours faithfully,

(R.P. Malik)
Secretary

Encl: As Above.



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Ref. No. BCR/Verification/2017/5184

Dated: 28.08.2017

The Registrar

Sub : Compliance of the Order dated 23.8.2017 passed by Hon'ble Supreme Court of India in Transferred Case (Civil) No.126 of 2015 Ajayinder Sangwan and Ors., V/s Bar Council of Delhi & Ors.

Sir,

With reference to above subject, it is informed that Hon'ble Supreme Court of India vide Order dated 23.8.2017 has provided a last opportunity to advocates to submit complete application forms for necessary verification of their degrees. Hon'ble Court has directed the State Bar Councils to verify such applications without any charge within a period of one month after the expiry of above period. Hon'ble Court has also directed the University authorities to ensure the verification of degrees awarded by them without any charge within 1 (one) month of its presentation. The relevant para of order dated 23.08.2017 is reproduced below :-

"The University Authorities shall ensure the verification of degrees awarded by them, without any charge, within 1 (month) on its presentation."

It is further informed that vide Order dated 2.5.2017 passed in above petition, Hon'ble Supreme Court has directed the concerned Universities to complete the verification of LLB certificates within a period of 8 weeks from the date of order. The relevant para of order dated 02.05.2017 is reproduced below :-

"In view of this, the concerned Universities are directed to complete the verification of LLB certificates within a period of 8 weeks from today. Within 4 weeks from today, we direct the various Bar Councils to furnish the necessary data to each of the Universities based upon which verification shall be done."

In default thereof, we make it clear that the Registrars of those are directed to be present in the Court to face consequence under the Contempt of Courts Act."

It is informed that in compliance of order dated 02.05.2017 of Hon'ble Court, this State Bar Council has sent the degree/marksheet to your University for verification of Advocates from time to time, but as per record, most of the degrees/marksheets yet to be received after verification from your University.

You are therefore requested to kindly look into the matter and to comply the order dated 02.05.2017 & 23.08.2017 respectively passed by the Hon'ble Supreme Court in this regard, failing which you may face consequences under the Contempt of Courts Act. A copy of Order dated 02.05.2017 & 23.8.2017 is enclosed herewith for your ready reference.

Yours faithfully,

(R.P. Malik)
Secretary

Encl: As Above.



THE BAR COUNCIL OF RAJASTHAN
HIGH COURT BUILDINGS JODHPUR - 342001

No. BCR/SCO/Verification/Ju/2017/5160

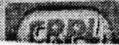
Dated : 26-08-2017

NOTICE

In pursuance of an Order dated 23-08-2017 passed by the Hon'ble Supreme Court of India in Transferred Case (Civil) No. 126/2015 Ajayinder Sangwan and Ors. V/s Bar Council of Delhi & Ors., it is hereby notified to all the Advocates who have not submitted so far, to submit their complete application forms for verification of their degrees under the Bar Council of India Certificate and Place of Practice (Verification) Rules, 2015 within 15 days from publication of this notice / advertisement. The applications which have been submitted but are having defects should remove all the defects, which have already been intimated and uploaded on our website within 15 days from publication of this notice / advertisement.

It is further notified that State Bar Council of Rajasthan shall publish a Final Electoral Roll by including the names and particulars of such advocates whose degrees attached with the application forms have been verified by the concerned University. The names of all such advocates who have not applied or have not removed the defects in the application forms already submitted within the specified time and whose degrees on verification have been found false or fake by the University shall not be included in the Electoral Rolls.

Secretary, Bar Council of Rajasthan



ITEM NO.10

COURT NO.6

SECTION XVIA

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Transfer Case (Civil) No(s). 126/2015

AJAYINDER SANGWAN

Petitioner(s)

VERSUS

BAR COUNCIL OF DELHI & ORS.

Respondent(s)

(with appln. (s) for adding party/parties and directions and impleadment and impleadment as party respondent and intervention and seeking permission to implead more respondents and urging adtl. grounds and office report)

Date : 02/05/2017 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE PINAKI CHANDRA GHOSE
HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN

Counsel for parties:-

Mr. Debal Banerjee, Sr. Adv.
Mr. Kailash Vasudev, Sr. Adv.
Mr. Jayant Sood, Sr. Adv.
Mr. Ajayinder Sangwan, petitioner-in-person
Mr. Tarunesh Kumar, Adv.
Mr. Vivek Narayan Sharma, AOR
Mr. Raj Kumar Sharma, Adv.
Mr. S.K. Sharma, Adv.
Mr. Arun Rathi, Adv.
Mr. Dushyant Yadav, Adv.
Mr. Pradeep Kr. Sharma, Adv.
Mr. Rohan Sharma, Adv.
Mr. Irfan Firdous, Adv.
Ms. Sweety Chattopadhyay, Adv.
Ms. Rishina Parashar, Adv.
Mr. Narendar Singh, Adv.
Mr. V.P. Singh, Adv.
Mr. Anirudha Kumar, Adv.

Mr. Vijay Hansaria, Sr. Adv.
Ms. Sneha Kalita, AOR
Mr. Jaideep Gupta, Sr. Adv.
Mr. Mohammad Sadique T.A., AOR

Mr. Gopal Prasad, AOR

Mr. Sudarshan Singh Rawat, AOR

Mr. V. Vasantha Kumar, Adv.

Ms. Sujatha, Adv.

Mr. Surya Narayana Patro, Adv.

Mr. Vipin Kumar, Adv.

Mr. Rajaram Narayanan, AOR

Mr. S. Prabhakaran, Sr. Adv.

Mr. Ram Sankar, Adv.

Mr. G. Ananda Selvam, Adv.

Mr. Y. Lokesh, Adv.

Mr. Arun Singh, Adv.

Mr. Rajaram Narayanan, Adv.

Mr. R. V. Kameshwaran, AOR

Mr. Mohinder J.S. Rupal, AOR

Mr. Rameshwar Prasad Goyal, AOR

Mr. Satya Mitra, AOR

Mr. Pijush K. Roy, Adv.

Mrs. Kakali Roy, Adv.

Mr. Rajan K. Chaurasia, AOR

Mr. Venkateshwar Rao Anumolu, AOR

Mr. Parnam Prabhakar, Adv.

Mr. Pawan Kumar Shukla, Adv.

Mr. Pankaj Kumar Singh, Adv.

Mr. Kamal Kumar Pandey, Adv.

Mr. Raj Singh Rana, Adv.

Mr. H. Chandra Sekhar, AOR

Mr. Suhas Kadam, Adv.

For M/s Lemax Lawyers & Co.

Mr. Gagan Gupta, AOR

Mr. Saurabh Gupta, Adv.

Mr. Anil K. Kher, Sr. Adv.

Mr. Bhargava V. Desai, AOR

Ms. Saumya Mehrotra, Adv.

Ms. Akriti Dewan, Adv.

Mr. Anupam Lal Das, AOR

Mr. Anirudh Singh, Adv.

Mr. Vivek Gupta, AOR

Mr. Brijendra Kaushik, Adv.

Mr. M. Shoeb Alam, AOR
Mr. Ujjawal Singh, Adv.

Mrs. Sarla Chandra, AOR

Mr. Rituraj Choudhary, Adv.
Mr. Aditya Singh, AOR

Mr. Rajeev Singh, AOR

Mr. Ashwani Kr. Dubey, AOR
Mr. Prashant Kr. Umrao, Adv.

Ms. Pinky Anand, ASG
Mr. Y.P. Adhyaru, Sr. Adv.
Mr. Rajesh Ranjan, Adv.
Mrs. Gunwant Dara, Adv.
Ms. Somya Rathore, Adv.
Mr. Hemant Arya, Adv.
Ms. Kirti Dua, Adv.
Mr. M.K. Maroria, AOR

For M/s Lawyer's Knit & Co.

Mr. Kunal Chatterji, Adv.
Ms. Maitrayee Banerjee, Adv.

Mr. Baldev Atreya, Adv.
Mr. Deepak Goel, AOR

Mr. Vishal Khattar, Adv.
Mr. Sunil Kumar, Adv.
Mr. M.A. Chinna Swamy, AOR
Ms. C. Rubavathi, Adv.

Mr. Atul Jha, Adv.
Mr. Sandeep Jha, Adv.
Mr. Dharmendra Kumar Sinha, AOR

Mr. Basava Prabhu S. Patil, Sr. Adv.
Mr. Sriram P., Adv.
Mr. Vishnu Shankar M.S., Adv.
Ms. Athira G. Nair, Adv.
For Mr. Ankur S. Kulkarni, AOR

Mr. Tanuj Agarwal, Adv.
For M/s. Parekh & Co.

Mr. Vijay Kumar, Adv.

Ms. Aparna Jha, Adv.

K.R. Chitra, Petitioner-in-person

Mr. Anil Kumar Gupta, Adv.
 Mata Prasad Singh, Adv.
 Ms. Ranjana Rastogi Singh, Adv.
 Mr. V.K. Wasudev, Adv.
 Mr. Neeraj Srivastava, Adv.
 Mr. B.K. Singh, Adv.
 Mr. Keshav Rai, Adv.
 Mr. D.K. Pathak, Adv.
 Mr. V.S. Panday Adv.
 Mr. Sparsh Kant Nayak, Adv.
 Mr. Paramanand Panday, AOR

For Mr. Anil Kumar Gupta-II, AOR

Mr. Anurag Dubey, Adv.
 Ms. Anu Sawhney, Adv.
 Ms. Meenakshi Parihar, Adv.
 Mr. S.R. Setia, AOR

Mr. A.V. Rangam, AOR
 Mr. Buddy A. Ranganadhan, Adv.

Mr. K.K. Venugopal, Sr. Adv.
 Mr. Ardhendumauli Kumar Prasad, AOR
 Mr. Nirmal Kumar Ambastha, Adv.
 Mr. Namit Saxena, Adv.
 Ms. Shradha Deshmukh, Adv.
 Mr. Jaydip Pati, Adv.

Ms. Lalita Kohli, Adv.
 For M/s Manoj Swarup & Co.

Mr. Brijender Chaudhry, Adv.
 Mr. Hitesh Kumar Sharma, Adv.
 Ms. Aakriti Singh Chauhan, Adv.
 Mr. Suresh C. Sati, Adv.
 Dr. Kailash Chand, AOR

Mr. E. C. Agrawala, AOR

Mr. Himinder Lal, AOR
 Mrs. Rajani Ohri Lal, Adv.
 Mr. Amrit Paul, Adv.

Mr. Jogy Scaria, AOR
 Mr. Mohinder Jit Singh, AOR

Mr. Gautam K. Laha, Adv.
Mr. Praveen Agrawal, AOR
Mrs. Nandini Gore, AOR
Mr. Subhasish Mohanty, AOR
Mr. Sudhanshu S. Choudhari, AOR
Mr. Vikas Upadhyay, AOR
Mr. Nitin Gaur, Adv.
Mr. Vidit, Adv.
Mr. Y. Raja Gopala Rao, AOR
Ms. Poli Kataki, AOR
Mr. P. Venkat Reddy, Adv.
Mr. Prashant Kr. Tyagi, Adv.
For M/s. Venkat Palwai Law Associates
Ms. Malini Poduval, AOR
Mr. Amol B. Karande, AOR
Mr. K.V. Bharti, AOR
Mr. Amitesh Kumar, Adv.
Mr. Shashank S. Singh, Adv.
Ms. Priti Kumar, Adv.
Mr. M.K. Sinha, AOR
Mr. Harvinder Chowdhury, AOR
Mr. Gaurav Sharma, AOR
Mr. Harsh Vardhan Surana, AOR
Mr. P.V. Dinesh, AOR
Mr. Rakesh K. Sharma, AOR
Mr. Shibashish Misra, AOR
Mrs. Santosh Singh, AOR
Ms. Kamakshi S. Mehlwal, AOR

UPON hearing the counsel the Court made the following
O R D E R

We have heard the learned Senior Counsel/Counsel appearing for the parties at length.

Vide order dated 01.03.2017, we have specifically directed the concerned Universities to undertake the exercise of verification of degrees and the same shall be completed within a period of 4 weeks.

We make it clear that the degrees which have to be verified would only be the LLB and nothing else. It appears that most of the Universities have not yet taken any steps in the matter in question.

In view of this, the concerned Universities are directed to complete the verification of LLB certificates within a period of 8 weeks from today. Within 4 weeks from today, we direct the various Bar Councils to furnish the necessary data to each of the Universities based upon which verification shall be done.

In default thereof, we make it clear that the Registrars of those Universities are directed to be present in the Court to face consequences under the Contempt of Courts Act.

So far as the election of the Bar Council of Delhi is concerned that should be completed or on before 31st August, 2017.

If any member of the committee intends to contest the election, he/she will have to step down from the Committee and the Bar Council of India will appoint a Member, as per Rules.

All the Bar Councils are directed to ask for the verification of the concerned Advocates, whoever has already applied, within a period of 4 weeks.

List in the second week of July, 2017.

(R. NATARAJAN)
Court Master

(SUMAN JAIN)
Court Master

REPORTABLE

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFERRED CASE (CIVIL) NO. 126 OF 2015

Ajayinder Sangwan and Ors.

.... Petitioner(s)

Versus

Bar Council of Delhi & Ors.

.... Respondent(s)

WITH

TRANSFERRED CASE (CIVIL) No. 110 OF 2015

WRIT PETITION (C) No. 97 OF 2016

WRIT PETITION (C) No. 799 OF 2016

WRIT PETITION (C) No. 644 OF 2016

WRIT PETITION (C) No. 709 OF 2016

WRIT PETITION (C) No. 776 OF 2016

WRIT PETITION (C) No. 808 OF 2016

WRIT PETITION (C) No. 1005 OF 2016

O R D E R

R.K. Agrawal, J.

1) The present transferred case has originated owing to the steps taken by the Bar Council of India to cause an enquiry and to find out fake lawyers out of its members and/or not even a member of the Bar Councils and/or member of any Bar Association of the country. While countering, Bar Council of India has submitted that steps have been taken in the matter in accordance with the Advocates Act, 1961 and the Rules framed thereunder to come to a conclusion and to find out such number of fake lawyers in the country and only thereafter the elections to the State Bar Councils can be held.

2) This Court, vide order dated 05.10.2015, directed that all the matters which are pending in different High Courts in connection with the matter in question be transferred to this court for hearing while refusing to grant stay in respect of giving effect to the Notification in connection with the Bar Council of India Certificate and Place of Practice (Verification) Rules, 2015.

3) Further, in pursuance thereto, this court, vide order dated 02.11.2015, directed that the persons who are not members of the Bar Association of any State or District or otherwise to carry on their profession, the certificate which has been asked for by the Bar Council of India to be attached with the application form that should be taken into account by the respective Bar Councils allowing them to apply and thereby on such application concerned, Bar Council will take necessary steps to find out the correct position in respect of those persons. It was further made clear that the persons who were practicing as a conveyancing lawyer or otherwise or in terms of the Rules of Advocates Act in any manner whatsoever, they should not be interfered with carrying on their practice in such manner whatsoever by the Bar Council of India, if they are legally enrolled through the Bar Councils.

4) Heard learned counsel for both the sides on the question of holding elections to the State Bar Councils at the earliest and perused

the records.

5) Learned senior counsel for the Bar Council of India admitted that the work relating to verification is very slow as the States where Advocate Generals are functioning as the Chairman of the State Bar Councils and elections are due, they are unable to spare time for the affairs of the State Bar Councils due to heavy workload. Further, no verification of certificates/degrees have been undertaken for LLB Graduates seeking enrolment after July 2010 and the All India Bar Examination (AIBE) cannot be said to be proof of having a valid degree of any candidate. In order to expedite the process of verification of degrees, the Bar Council of India proposes to constitute a Central Verification Committee of the Bar Council of India headed by a former Judge of this Court for the purpose of transparent and fair verification.

6) To put it in a nutshell, the petitioners are requesting for immediate elections of the State Bar Council as the term has expired long back whereas the Bar Council of India is pressing for the need of verification of the candidates to eliminate fake lawyers in order to bring improvement in the Bar and to get deserving practicing advocates for the respective Bar Councils.

7) We have been informed by learned senior counsel for the Bar Council of India as well as the respective State Bar Councils that the process of verification is not completed yet. In view of that, to do

complete justice to the parties, it would be proper for us to provide a last opportunity for the same as mentioned below:-

(1) 15 (fifteen) days' time be given to cure the defective applications by the concerned Advocates and to all such advocates to submit their complete application forms for necessary verification of their degrees if they have not submitted the same earlier, from the date of publication of advertisement in two leading newspapers, one in English language and the other in regional language having wide circulation in the respective State/Union Territories, for which advertisement shall be published within 7 days from the passing of this order.

(2) 1 (one) month time for verification of applications, without any charge, by the State Bar Councils, after the expiry of the above 15 (fifteen) days.

(3) The University Authorities shall ensure the verification of degrees awarded by them, without any charge, within 1 (month) on its presentation.

(4) The respective State Bar Councils shall publish a Final Electoral Roll by including the names and particulars of such advocates whose degrees attached with the application forms have been verified by the concerned University authorities. The names of all such advocates who have not removed the defects in the application forms already submitted within the specified time

and also such persons whose degrees on verification have been found false or fake by the University authorities shall not be included in the Electoral Rolls.

(5) Bar Council of India to declare the schedule of elections in respective State Bar Councils to be held after the expiry of 75 (seventy five) days, as mentioned above, within one week mentioning therein:-

- (i) 15 days for nomination.
- (ii) 1 week for withdrawal of nomination.
- (iii) to upload final candidates' list in 1 (one) week.
- (iv) to decide the date of election.

8) We further make it clear that all the steps be taken by all the parties concerned in the matter for the purpose of elections in respect of all the Bar Councils where the term of the existing members have already expired or to be expired. We further make it clear that although this order has been passed in favour of the verification only for the purpose of the election but it would also include for the purpose of the verification of all other learned lawyers who have already applied within the time stipulated by this Court.

9) We direct all the State Bar Councils to take necessary steps and to conclude all proceedings by 31.12.2017 and send a reply to the Bar Council of India. Thereafter, the Bar Council of India, after receiving all the replies from the State Bar Councils, would file a status report.

10) We, hereby, authorize the Bar Council of India to notify all the

State Bar Councils, by way of publication in two leading newspapers, that they must take all steps to complete the process before 31.12.2017.

11) The Bar Council of India is directed to request a retired Judge of the Supreme Court in order to control and supervise the verification process and preparation of Electoral Rolls. We direct the Bar Council of India to take all steps in this regard immediately in order to do the needful. All concerned are directed to render full assistance and cooperation to the Verification Committee. List the matter in the second week of January, 2018 on a Non-Miscellaneous Day.

.....J.
(R.K. AGRAWAL)

.....J.
(ABHAY MANOHAR SAPRE)

NEW DELHI;
AUGUST 23, 2017.