



SUPREME COURT BAR ASSOCIATION (Regd.)

SUPREME COURT OF INDIA, TILAK MARG, NEW DELHI-110001 (INDIA)

Mr. Vikas Singh (Sr.)
President

Mr. Pradeep Kumar Rai (Sr.)
Vice President

Mr. Ardhendumauli Kumar Prasad
Hony. Secretary

Mr. Rahul Kaushik
Joint Secretary

Mr. Meenesh Kumar Dubey
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SENIOR EXECUTIVE MEMBERS

Mr. V. Shekhar (Sr.)
Ms. Mahalakshmi Pavani (Sr.)
Mr. Arijit Prasad (Sr.)
Mr. Brijender Chahar (Sr.)
Ms. Sonia Mathur (Sr.)
Mr. Vikas Pahwa (Sr.)

EXECUTIVE MEMBERS

Mr. Anupam Mishra
Ms. Nina Gupta
Ms. K.V. Bharathi Upadhyaya
Mr. Mukesh Kumar Singh
Ms. Sasmita Tripathy
Mr. Prashant Singh
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Ms. Seema Patnaha
Ms. Nandani Gupta

PRESIDENT/CJI/19

06.01.2022

Shri. N.V. Ramana
The Hon'ble Chief Justice of India
Supreme Court of India
New Delhi - 110001

Subject: Issues of the Bar pending consideration for long

Dear Sir,

I am writing this letter with deep sense of anguish regarding non-consideration of several pending issues of the Bar. We are now getting a feeling that the SCBA, since it has never resorted to strike in its history, is not being given its due importance.

Pending issues:

Sir you will recall that the issue of elevation of members of SCBA to various High Courts was taken up at your instance and for the said purpose we constituted a very credible Search Committee to identify names for consideration for elevation. The Search Committee met several times and finally identified 48 names for being considered for elevation in various High Courts. The said names were handed over to your good self personally by the undersigned several months back. The timing of the deliberations of the Search Committee was very important as there are a large number of vacancies in various high courts and the Collegiums of the high courts are in the process of recommending names for elevation. Our entire exercise will be futile if the respective collegiums were to recommend names for elevation without having before them the names of the members of SCBA. You will appreciate that we have not claimed any priority in the appointment but have merely sought for consideration by the Collegium so as to ensure that the best names are recommended for elevation. The entire exercise was also to bring more transparency in the exercise of appointment to the Higher Judiciary which is repeatedly being alleged to be under a cloak of secrecy. As per our information, none of the names suggested by the Search Committee have been considered by any of the High Court Collegium.



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As far as the allotment of chambers is concerned, a decision had been taken by the earlier Executive Committee alongwith the Judges Committee to change the partition walls of the chambers so as to make 3 chambers out of 2 for the purposes of single allotment. It was also decided to make cubicles in the big halls provided in the said building to accommodate lawyers who are waiting for allotment of chambers. In spite of our repeated request, the final chamber allotment list was not prepared in a time bound manner. However, recently we have been told that the same is ready but the said list has not been handed over to us till date. We have been corresponding with the Registry to find out the progress of work in terms of the decision of last Executive Committee and we were told that no work has started to re-design the same. We were also trying to get the allotment list to find out if we could request members to chose their partners from the list and make the allotment to the chamber as it exists today without any alteration but that effort also could not fructify due to delay in finalising the list. A building which is ready in every aspect is laying vacant and unused due to delay in allotment of chambers.

We have been asking for extra space for the Association to provide for a more proximate library, a lunch room and rooms for the President and Secretary of SCBA in the annexe building in front of Court No. 11 which was verbally assured to us by the then CJI Dipak Misra in my last term as President and followed up by me in my present term as well, however, till date no action has been taken in this regard. Sir, the present lunch room is a dingy small room where many Senior Advocates and Advocates practicing in this court have lunch and it is sad that so much of additional space was made available to the Supreme Court in the Pragati Vihar area which resulted in moving out large number of office from the present building but no commensurate place was allotted to SCBA.

Since the beginning of my present tenure, I have been requesting for making available the Auditorium and the meeting rooms for the functions/meetings of SCBA but the same has been denied to us without any justification. I have pointed out in my several letters to your goodself that the additional land was made available due to the persistence of the SCBA which had filed a petition in that behalf for the removal of Appu Ghar and giving the



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additional land to the Supreme Court. Though the lands were given due to the persistence of SCBA, neither was SCBA given any additional space in the existing building (as mentioned above) and to add insult to injury SCBA was debarred from using the Auditorium during the tenure of Mr. Rakesh Khanna the then President, SCBA. This debarment was not in the public domain and was brought to our notice by the Secretary General when we requested for the Auditorium to bid farewell to Justice Indu Malhotra. I have written several letters on this subject and was verbally assured several times, however, no decision taken on the same has been communicated to us till date.

That with regard to virtual hearing being conducted by this Court, we have been repeatedly requesting that the present system of virtual hearing is not at all acceptable to the Bar especially the feature of advocates not having the right to Mute/unmute themselves. The present system clearly militates against the concept of open hearing because lawyers do not have any right to enter a proceeding of his/her choice or to mention a matter or to even ask for a suitable date because of the control of the court master/court staff in deciding to mute and unmute a lawyer. In none of the High Courts of this country this control is being exercised by the court staff and the lawyers are permitted to mute and unmute themselves. This also gives an impression that our voice is not being heard favourably because we do not go on strike whereas high court lawyers resort to the same whenever their demands are not met. Initially we were told that the software being used by the Supreme Court does not permit this feature, however the software has been upgraded several times and with technological advancement, it is clearly not possible that such feature cannot be incorporated in the virtual hearing of Supreme Court when the same is available in the virtual hearing of all the high courts across the country.

We have also been representing from the beginning that large number of matters are not being listed inspite of mentioning and for some unknown reasons, a lot of category of matters are not being listed for preliminary hearing. In this regard, it is submitted that our demand is merely that all matters filed should be listed strictly on the basis of date of filing and the bar should always have the right to make an urgent mentioning for listing of



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matters. Both these aspects remained unresolved till today.

In terms of the 'Supreme Court Guidelines to Regulate Conferment of Designation of Senior Advocates, 2018', the 'Committee for Designation of Senior Advocate' is obliged to meet at least twice in a calendar year. In spite of our request, no steps have been taken in the last 2.5 years to call for applications from advocates for senior designation.

We have been requesting for expediting the construction of additional lawyers' chambers in 1.33 Acres of land allotted to the Supreme Court of India behind petrol pump near ITO. Till date no steps have been taken in this regard and the said land is lying vacant.

It is therefore requested that an urgent audience be granted to the Executive Committee of SCBA to discuss the above issues and necessary action be taken at the earliest.

Hoping for a positive response at the earliest.

Thanking you,

Yours sincerely,

[VIKAS SINGH]

CC:

1. Hon'ble Mr. Justice Uday Umesh Lalit
2. Hon'ble Mr. Justice A.M. Khanwilkar
3. Hon'ble Mr. Justice D.Y. Chandrachud
4. Hon'ble Mr. Justice L. Nageswara Rao
5. Hon'ble Mr. Justice Sanjay Kishan Kaul
6. Mr. Virender Kumar Bansal, Secretary General, Supreme Court of India