

IN THE SUPREME COURT OF INDIA

CIVIL ORI IN JURISDICTION

WRIT PETITION (CIVIL) NO. _____ OF 2020
(Petition under Article 32 of the Constitution of India)
(Under Order XXXVIII Rule 12(1) of SCR 2013)

BETWEEN

ABHINAV RAMKRISHNA

...Petitioner

Versus

UNION OF INDIA & ORS

...Respondent

PAPER BOOK

(FOR INDEX PLEASE SEE INSIDE)

PETITIONER -IN -PERSON : ABHINAV RAMKRISHNA

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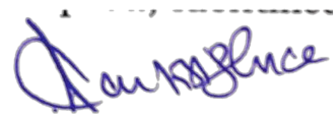
SECTION: PIL

PROFORMA FOR FIRST LISTING

<div></div>	Central Act: (Title)	ADVOCATES WELFARE ACT
<div></div>	Section:	N/A
<div></div>	Central Rule: (Title)	N/A
<div></div>	Rule No (s):	N/
<div></div>	State Act: (Title)	N/A
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<div></div>	Impugned Interim Order: (Date)	N/A
<div></div>	Impugned Final Order/ Decree:(Date)	04.04.2020
<div></div>	High Court : (Name)	N/A
<div></div>	Names of Judges:	N/A
<div></div>	Tribunal/Authority : (Name)	N/A
1.	Nature of matter:	CIVIL
2.	Petitioner	ABHINAV RAMKRISHNA
(a)		
(b)	e-mail ID:	NA
(c)	Mobile phone Number:	NA
3.	Respondent	UNION OF INDIA & ORS.
(a)		
(b)	e-mail ID:	N/A
(c)	Mobile phone Number:	N/A
4.	Main Category Classification:	08
(a)		
(b)	Sub classification:	0811
5.	Not to be listed before:	N/A
6.	a) Similar matter disposed of with citation, if any	NO SIMILAR MATTER DISPOSED
	b) Similar pending matter if any	NO SIMILAR MATTER PENDING

7.	Criminal Matters:	N/A
(a)	Whether accused/convict has surrendered	N/A
(b)	FIR No.	N/A
(c)	Police Station:	N/A
(d)	Sentence Awarded:	N/A
(e)	Sentence Undergone including the period of detention/custody	N/A
8.	Land Acquisition Matters:	N/A
(a)	Date of Section 4 notification:	N/A
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(c)	Date of Section 17 notification:	N/A
9.	Tax Matters: State the tax effect:	N/A
10.	Special Category (first petitioner/appellant only):	N/A
	<input type="checkbox"/> Senior Citizen > 65 years <input type="checkbox"/> SC/ST <input type="checkbox"/> Disabled <input type="checkbox"/> Woman/Child <input type="checkbox"/> Legal Aid case <input type="checkbox"/> In Custody	

Date: 27/04/2020



ABHINAV RAMKRISHNA

Petitioner in Person

adv.ramkrishna@gmail.com

Mob: 9971746533

SYNOPSIS/LIST OF DATES

The present Writ Petition is being filed by the Petitioner, who is a practicing Advocate on Record before this Hon'ble Court and a Executive Member of the Supreme Court Advocate on Record Association.

The Petitioner has been a witness to the hardship faced by the members of the legal fraternity, more particularly the lawyers who earn their bread and butter from litigation by making daily appearance in the court and also by filing of the various petitions on behalf of the client, which is by rule is always accompanied by a vakalatnama upon which a substantial amount of welfare stamp is affixed, according to rules framed by the different State Bar Councils in consonance and conformity with the respective State Government and the Bar Council of India.

It is pertinent to mention that since the bodies like Bar Council of India and the State Bar Councils are the creation of the statute and falls under the categories of other authorities within the meaning of Article 12 of the Constitution of India, therefore the present writ petition in form of public interest litigation is maintainable under Article 32 of the Constitution.

The moot question of law which is required to be considered are as under

- i. Whether or not this Hon'ble Court in exercise of its power under Article 142 of the Constitution of India can extend the statement of object and scope of the Advocates' Welfare Fund Act 2001, in this hour of emergent national crisis which has adversely impacted the legal professionals?
- ii. Whether or not the decision of the various State Bar Councils to merely extending a paltry sum as one-time payment for loss of work and income to the lawyers for sustenance, can be termed as dignified treatment and thus violative of Article 21 of the Constitution?
- iii. Whether or not in a given situation at hand, can a decision of the state bar councils to put a cap of annual income, as a pre-requisite condition to grant aid and assistance to any lawyer is violative of Article 14 of the Constitution?
- iv. Whether a lawyer on ground of his years of standing at bar or filing of income tax returns can be deprived of the benefit if he/she needs financial assistance?
- v. Whether or not in a given situation at hand, can a decision of the state bar councils can be permitted to grant financial aid under the guise of the loan, especially when the fund is to be released from welfare account?

- vi. Whether it can be legitimately expected from the Respondent No. 2 to remain a mute spectator over the non-existence or non-functioning of Respondent No. 12, leaving the needy lawyers in high and dry position?
- vii. Whether or not the Respondent No. 1 to 21 is legally and constitutionally bound to frame a proper scheme to tackle the situation at hand at present or in future?
- viii. Whether or not the State Bar Council of Bihar & Jharkhand run away from their legal duty, statutory duty towards the lawyer, in light of the fact that no scheme for financial assistance has been announced till date?
- ix. Whether the State Bar Council is legally correct to say that any individual who has been enrolled as an advocate after the age of 40 yrs cannot be granted any financial assistance?

Pertinently, the petitioner has no personal interest in the present matter and is of a bonafide belief that the present matter involves issues which will have greater ramifications on the society at large, as lawyer not earns for himself but also for his associated staff and lastly for his family members

The chronological list of date and events leading to the present Writ Petition is as under

Date	Particulars of Events
24.03.2020	<p>In the light of sudden surge of the COVID-19 case across the nation, the Government of India announced the nation-wide lockdown up to 05.04.2020, which eventually brought to halt every economic activity.</p>
27.03.2020	<p>Bar Council of Delhi had announced to provide one-time financial assistance to daily earning lawyers in view of the Complete Lockdown due to the Coronavirus outbreak.</p> <p>In its announcement for the above the Bar Council of Delhi resolved as under</p> <p>“We, the members of Bar Council of Delhi, are conscious of the extra ordinary situation created, whereby, everybody has been confined to his/her house and not allowed to go out for regular work and because of it they are having financial crisis in family and in this situation, some extreme needy advocates in Delhi/NCR and their family members are not in a position to meet their daily requirements for food and medicine etc.”</p> <p>“In such an unprecedented crisis being faced by the Advocates in Delhi/NCR, it is resolved that</p>

“indigent and disable Committee of Bar Council of Delhi” is authorized to consider request for grant of financial assistance, in genuine and bonafide cases of advocates with Rs 5,000/- per Advocate and if the information furnished by extreme needy advocates found false information then Bar Council will treat the same as misconduct of an advocate”.

Likewise, different bar councils or bar association had announced slew of economic aid, with a caveat that they can approach only one body and since there is a disparity in amount being disbursed by each bar council or bar association, the members of the legal fraternity are left high and dry.

04.04.2020 The Government of India extended the nation-wide lockdown up to 03.05.2020

28.04.2020 Hence, the present Writ Petition.

IN THE SUPREME COURT OF INDIA

CIVIL ORIGIN JURISDICTION

WRIT PETITION (CIVIL) NO. _____ OF 2020
(Petition under Article 32 of the Constitution of India.)

BETWEEN

Position of Parties

In this Hon'ble Court

Abhinav Ramkrishna s/o Sh. Mahanand Petitioner
Jha, Occupation: Advocate on Record,
Supreme Court of India r/o Alexandra
C-406, Grand Omaxe, Sector-93B,
NOIDA

VERUS

1. Union of India Respondent No.1
Through: Secretary
Ministry of Law & Legal Affairs,
Shastri Bhawan, New Delhi
2. Bar Council of India, Through Respondent No.2
its: Chairman, 21, Rouse Avenue
Institutional Area, Near Bal
Bhawan, New Delhi - 110 002
3. Bar Council of State of Andhra Pradesh Respondent No.3
Through its: Chairman
Ground Floor, A.P. High Court
Building, Nelapadu, AMARAVATI,
Andhra Pradesh- 522 237
4. Bar Council of Assam, Nagaland, Respondent No.4
Meghalaya, Tripura, Mizoram,
Arunachal Pradesh And Sikkim,

Through its: Chairman, 2nd
Floor, Guwahati High Court
Building (Old) Guwahati-
781001, Assam

5. Bihar State Bar Council, Through Respondent No.5
its: Chairman Bar Council
Bhawan, Patna Bihar
6. State Bar Council of Respondent No.6
Chhattisgarh, Through its:
Chairman New High Court
Premises, Bilaspur, Bodri,
Chhattisgarh 495225
7. Bar Council of Delhi Respondent No.7
Through its: Chairman 2/6, Khel
Gaon Marg, Siri Institutional
Area, Siri Fort Institutional Area,
Siri Fort, New Delhi, Delhi
110049
8. Bar Council of Gujarat Respondent No.8
Through its: Chairman, 3rd
Floor, Satyamev Complex,
Opposite New Gujarat High
Court, Ahmedabad, Gujarat
380060
9. Bar Council of Himachal Pradesh Respondent No.9
Through its: Chairman, High
Court Complex, Ravenswood,
Shimla, Himachal Pradesh
171001
10. Jharkhand State Bar Council Respondent No.10
Through its: Chairman,
Bungalow No. 8, Near Kendriya

Vidyalaya, Ranchi, Jharkhand
834002

11. Karnataka State Bar Council Respondent No.11
Through its: Chairman Old
K.G.I.D Building, Dr Ambedkar
Rd, Bengaluru, Karnataka
560001
12. Bar Council of Kerala Respondent No.12
Through its: Chairman, Campus
Ernakulam, Bar Council Bhavan,
High Ct Rd, Kochi, Kerala
682031
13. State Bar Council of Madhya Pradesh Respondent No.13
Through its: Chairman
High Court Campus, above Union
Bank, Jabalpur, Madhya Pradesh
482008
14. Bar Council of Maharashtra & Goa Respondent No.14
Through its: Chairman
2nd Floor, High Court Extension,
Fort, Mumbai, Maharashtra
400032
15. Odisha State Bar Council Respondent No.15
Through its: Chairman HIGH
COURT PREMISES, KATCHERI
ROAD, Chandini Chowk, Cuttack,
Odisha 753002
16. Bar Council of Punjab & Haryana Respondent No.16
Through its: Chairman, Law
Bhawan, Dakshin Marg,
adjoining Petrol pump, Sector
37A, Chandigarh, 160036

- | | | |
|-----|--|------------------|
| 17. | Bar Council of Rajasthan
Through its: Chairman, High
Court Road, Building, Jodhpur,
Rajasthan 342005 | Respondent No.17 |
| 18. | Bar Council of Tamil Nadu &
Puducherry Through its:
Chairman, High Court Campus,
Chennai, Tamil Nadu 600104 | Respondent No.18 |
| 19. | Bar Council of Telengana
Through its: Chairman High
Court Premises, Hyderabad - 500
066, Telangana | Respondent No.19 |
| 20. | Bar Council of Uttarakhand
Through its: Chairman Nainital
High Court Campus, Nainital -
Uttarakhand,
Pin - 263001 | Respondent No.20 |
| 21. | Bar Council of Uttar Pradesh
Through its: Chairman
19,Maharshi Dayanand Marg,
Allahabad-211001. Uttar
Pradesh | Respondent No.21 |
| 22. | Bar Council of West Bengal
Through its: Chairman, 2 & 3, K.
S. Roy Road, City Civil Court
Building, 7th Floor, Kolkata,
West Bengal 700001 | Respondent No.22 |

Al Contesting Respondents

PETITION UNDER ARTICLE 32 OF THE
CONSTITUTION OF INDIA FOR
ISSUANCE OF A WRIT OF MANDAMUS,

OR SUCH OTHER APPROPRIATE WRIT
ORDER OR DIRECTION TO THE
RESPONDENT.

To

The Hon'ble Chief Justice of India and His
Companion Justices of the Hon'ble Supreme
Court of India.

The Special Leave Petition of the Petitioner
abovenamed:

MOST RESPECTFULLY SHOEWEETH:

1. That the present Writ Petition is being filed by the
Petitioner, who is a practicing Advocate on Record
before this Hon'ble Court and is also Executive Member
of the Supreme Court Advocate on Record Association,
being a vigilant citizen as well as member of legal
fraternity of country and cautious about economic
hardship which are being faced by the members of the
legal fraternity, more particularly the lawyers who earn
their bread and butter from litigation by making daily
appearance in the court and also by filing of the various
petitions on behalf of the client, which is by rule is
always accompanied by a vakalatnama upon which a
substantial amount of welfare stamp is affixed,
according to rules framed by the different State Bar
Councils in consonance and conformity with the

respective State Government and the Bar Council of India.

2. DECLARATION ORDER XXXVIII RULE 12(2) OF SCR, 2013

- i. Name of the Petitioner : Abhinav Ramkrishna s/o Sh. Mahanand Jha, Occupation: Advocate on Record, Supreme Court of India r/o Alexandra C-406, Grand Omaxe, Sector-93B, NOIDA, Email: adv.ramkrishna@gmail.com Mobile: 9971746533, PAN: ALEPR6497D
- ii. The cause of action of the present public interest litigation relates to the financial assistance to lawyers across India in the wake of nation-wide lock down amid COVID-19 crisis many of whom are still awaiting help.
- iii. The nature of injury caused is pan India based as many lawyers who are juniors and others whose income were limited from the functioning of the Hon'ble Courts have been badly affected and they have very limited means to survive.
- iv. There is no pending litigation between the petitioner and the respondents on the subject matter of the present petition.
- v. In view of the restrictions on the movement of lawyers and a ordinary citizen, the avenue to

approach the government on the subject matter has been diminished.

3. That the petitioner's petition will be argued by Sh. Jayant Sud, Senior Advocate.
4. That since the nation-wide lockdown being announced by the Govt of India, the functioning of the judicial institution has been affected to the extent that only a matter of emergent nature are being listed or heard and that too through video conferencing.
5. The above preventive measures though are necessary and also need of an hour, yet at same time the Respondents herein cannot be expected to be in a state of deep slumber or be insensitive towards the economic and mental hardship faced by lawyers, except few upon who have achieved a milestone by dint of their hard work and acumen. As is rightly said that all fingers are not of same size, in a similar manner all lawyers are not self-sufficient to overcome the present economic crisis looming around.
6. It is further submitted that the issues raised herein are very serious as the petitioner had put in his individual effort to get the facts, connected to lawyers across the country over the telephone and assessed the information available on the website of the respective bar councils,

to know about the status of the scheme being announced or package being given by the respective State Bar Councils, the details of the same are, as under:

- i. The Respondent No. 1 which is primarily responsible for the effective establishment of the judicial setup in this country has remained a mute spectator over the trouble being faced by the lawyers and till date, it's the primarily responsibility of the Respondent No. 1 to ensure that lawyers.
- ii. The Respondent No. 2 has on 23.04.2020 which is almost after 27 days of lock down announced the scheme, however, the same serves no purpose as the amount to be disbursed has been kept undecided. A True Copy of the Circular dated 19.04.2020 issued by Respondent No. 2 is annexed herewith as **ANNEXURE P-1** @ Page No. 23 to 25.
- iii. There is no particulars or details found regarding grant of any financial aid and scheme to lawyers by the Respondent No. 3, despite exercise of due diligence by the petitioner.
- iv. The Respondent No. 4 has not announced or given any such financial scheme for advocates.

- v. The Respondent No. 5 though is in receipt of an amount of Rs. 45,00,000/- towards the said scheme, it has till date not decided on quantum of financial aid which it intends to give.
- vi. The Respondent No 6 on dated 27.03.2020 resolved invited applications from lawyers for Financial Assistance under KSBC-COVID - 19 Advocates Relief Fund, a one-time assistance of Rs.5,000/- was announced. It is worth to mention that Respondent No. 6 states to have received Rs. 50 crore from the Chief Minister towards Advocates Welfare Fund.
- vii. The Respondent No. 7 has not announced or given any such financial scheme for advocates.
- viii. The Respondent No. 8 has on 19.04.2020, which almost after 25 days of nation-wide lockdown floated the scheme for one-time financial assistance, yet there remains no clarity on the amount being given. However, there is a condition that an advocate who are assessable to Income Tax will not be given benefit of the scheme. A True Copy of the Circular dated 19.04.2020 issued by Respondent No.8 is annexed herewith as **ANNEXURE P- 2 @ Page No. 26 to 30.**

- ix. The Petitioner talked to Mr. Navin Kumar, Adv General Secretary, Advocates Association Jharkhand High Court over the telephone and he was informed that no scheme relating to financial assistance to lawyers during the COVID-19 crisis has been announced by the Respondent No. 9 it is in fact the Advocates Association Jharkhand High Court, which is taking pain through its limited means and source to help needy.
- x. The Respondent No 10 on dated 11.04.2020 resolved invited applications from lawyers for Financial Assistance under KSBC-COVID - 19 Advocates Relief Fund, however there is no clarity with respect to the amount. A True Copy of the Circular dated 11.04.2020 issued by Respondent No. 10 is annexed herewith as **ANNEXURE P-3** @ Page No. 31 to 33.
- xi. The Respondent No 11 on dated 08.04.2020 by a notification, decided to grant an interest free loan of Rs.10,000/- to an advocate subject to availability of funds and subject to conditions laid therein. A True Copy of the Notification dated 08.04.2020 issued by Respondent No. 11 is annexed herewith as **ANNEXURE P-4** @ Page No. 34 to 36.

- xii. The Respondent No 12 is not in existence and there is no board or executive committee and the financial assistance is being rendered by advocate's association to the extent of Rs. 2,500/- as one-time measurement.
- xiii. The Respondent No 13 to the best of the information has formulated a scheme to the extent that assistance to needy lawyers are been provided in kind through respective bar associations.
- xiv. The Respondent No 14 in its emergent meeting dated 01.04.2020 resolved that applications for financial assistance by genuinely needy Advocates practicing below 10 years in the prescribed format (appended hereto) shall be submitted to Odisha State Bar Council through their respective Bar Associations. The main source of procurement of fund is through senior counsel, which clearly shows the poor state of the state bar council. A True Copy of the Circular dated 01.04.2020 issued by Respondent No. 14 is annexed herewith as **ANNEXURE P- 5 @ Page No. 37 to 41.**
- xv. The Respondent No 15 though has invited applications for granting financial aid but even

after 32 days of lockdown, no aid and assistance has been granted.

- xvi. The Respondent No 16 resolved financial assistance of Rs.5,000/- (Rs. Five Thousand only) only to such advocates who are not assessible to Income Tax and whose monthly income is less than Rs.10,000/-
A True Copy of the Circular dated 25.04.2020 issued by Respondent No.16 is annexed herewith as **ANNEXURE P- 6 @ Page No. 42 to 43.**
- xvii. The Respondent No 17 though have floated a scheme and received the funds but their website remains silent on the release of grant and the conditions which has been put forth for the release of aid/grant.
- xviii. The Respondent No 18 though have floated a scheme and selected the advocates who are eligible for grant of aid, however, no fixed amount has be disbursed to any advocates as the same is subject to availability of funds. This particular information was conveyed to the petitioner during his telephonic discussion on 26.04.2020 with Ms. N. Renuka, Secretary, Bar Council of Telangana.
- xix. The is no particulars or details found regarding grant of any financial aid and scheme to lawyers

by the Respondent No. 19 to 21, despite exercise of due diligence by the petitioner.

7. The present petition thus raises the following important questions of law:-

- I. Whether or not this Hon'ble Court in exercise of its power under Article 142 of the Constitution of India can extend the statement of object and scope of the Advocates' Welfare Fund Act 2001, in this hour of emergent national crisis which has adversely impacted the legal professionals?
- II. Whether or not the decision of the various State Bar Councils to merely extending a paltry sum as one-time payment for loss of work and income to the lawyers for sustenance, can be termed as dignified treatment and thus violative of Article 21 of the Constitution?
- III. Whether or not in a given situation at hand, can a decision of the state bar councils to put a cap of annual income, as a pre-requisite condition to grant aid and assistance to any lawyer is violative of Article 14 of the Constitution?
- IV. Whether a lawyer on ground of his years of standing at bar or filing of income tax returns can

be deprived of the benefit if he/she needs financial assistance?

- V. Whether or not in a given situation at hand, can a decision of the state bar councils can be permitted to grant financial aid under the guise of the loan, especially when the fund is to be released from welfare account?
- VI. Whether it can be legitimately expected from the Respondent No. 2 to remain a mute spectator over the non-existence or non-functioning of Respondent No. 12, leaving the needy lawyers in high and dry position?
- VII. Whether or not the Respondent No. 1 to 21 is legally and constitutionally bound to frame a proper scheme to tackle the situation at hand at present or in future?
- VIII. Whether or not the State Bar Council of Bihar & Jharkhand run away from their legal duty, statutory duty towards the lawyer, in light of the fact that no scheme for financial assistance has been announced till date?
- IX. Whether the State Bar Council is legally correct to say that any individual who has been enrolled as

an advocate after the age of 40 yrs cannot be granted any financial assistance?

8. The Petitioner herein has got no other judicial remedy than to invoke the original writ jurisdiction of this Hon'ble Court under Article 32 of the Constitution of India.

. The petitioner has no personal interest in the present matter and is of a bonafide belief that the present matter involves issues which will have greater ramifications on the society at large, as lawyer not earns for himself but also for his associated staff and lastly for his family members.

GROUND

Leave to appeal is sought for on the following among other grounds:

A. BECAUSE the lawyers across the nation have been paying welfare amount upon filing of the vakalatnama each time they enter appearance and in the unprecedented situation like the present one, it is incumbent upon all the State Bar Councils to come clean with the amount of funds they have in the welfare account.

B. BECASUSE no lawyer can be deprived of welfare scheme for the reason that he/she is assessible to income tax, it would have been a reasonable classification, should the Respondent No. 8 put a bracket of annual income and

extended the scheme to even those, who are paying income tax.

- C. BECAUSE once an amount is said to be have been disbursed under a welfare scheme during the time national crisis, giving the same a colour of debt/loan is not only against the objective of any welfare act, but the same is like ensuing an insult upon a needy lawyer. In the humble submission of the petitioner, the action of the Respondent No. 11 to give financial assistance under the guise by way of an amendment is ultra vires.
- D. BECAUSE in the similar manner Respondent No 14 has decided to extend the benefit to only those advocates with standing practice of less than 10 years, the said classification is not based upon any reasonableness and the same is arbitrary against those who have standing practice above 10 years and yet not in a sound economical position.
- E. BECAUSE the Respondent No. 2 is under a legal duty and constitutional obligation to put in an ad-interim measure for functioning of the Respondent No. 12, as the same has resulted in denial to an advocate a body/forum to approach for grant of adequate fund, the grant of Rs. 2500/- as one-time measure by respective bar association, will not serve the purpose of the act.

F. BECAUSE as for other state bar councils who though have formulated the scheme, invited the applications and have yet not disbursed the amount or scrutinized the application or even after scrutiny have not disbursed the amount or have not reached to the conclusion or figure what is to be disbursed, it is humbly submitted delaying the same is violative of Article 21 of the Constitution.

G. BECAUSE the Welfare Fund Scheme is intended for those advocates who struggle from inception of their profession and the object of Welfare Fund Act is to provide welfare or social security benefits to the advocates who are fully committed to the profession of law.

H. BECAUSE as is rightly said that all fingers are not of same size, in a similar manner all lawyers are not self-sufficient to overcome the present economic crisis looming around, in this context it would be necessary to quote

STATEMENT OF OBJECTS AND REASONS - THE ADVOCATES' WELFARE FUND ACT, 2001: The Advocates' Welfare Fund Act, 2001 enacted by the Parliament enjoins the appropriate Government to constitute a fund to be called the "Advocates' Welfare Fund" with the object of providing social security in

the form of financial assistance to junior lawyers and welfare scheme for indigent or disabled advocates.

The statement and objects read as under:-

"Social security in the form of financial assistance to junior lawyers and welfare schemes for indigent or disabled advocates, has long been a matter of concern for the legal fraternity. Clause (a) of sub-section (2) of section 6 and clause (a) of sub-section (2) of section 7 of the Advocates Act, 1961, confer powers on State Bar Councils as well as the Bar Council of India, inter alia, to constitute through their rules one or more funds for the purpose of "giving financial assistance to organise welfare schemes for the indigent, disabled or other advocates". Sub-section (3) of Section 6 and sub-section (3) of section 7 of the Advocates Act further provide that a State Bar Council may receive grants, donations, gifts or benefactions for the said purpose which shall be credited to the appropriate fund or funds constituted under sub-section (2). Welfare schemes have accordingly been introduced in some States. Most of the States have enacted legislations on the subject. However, there is neither any uniformity nor the said provisions are considered adequate. Moreover, the Advocates Act does

not authorise levy of any welfare fund stamp on vakalatnama. There has, therefore, been felt a need for a Central legislation applicable to the Union territories and the States which do not have their own enactments on the subject, for constitution of "Advocates' Welfare Fund" by the appropriate Government. The Fund will, inter alia, be composed of contributions made by a State Bar Council, any voluntary donation or contribution by the Bar Council of India, advocates' associations, other associations or institutions or persons, any grant made by the appropriate Government, sums collected by way of sale of "Advocates' Welfare Fund Stamp

- I. BECAUSE the present situation has left most the lawyers practicing in small town indigent and economically weak and therefore the welfare scheme should not sound like diktat.
- J. BECAUSE it is necessary at this point in time for Respondent No. 1 to work in tandem with the other Respondents and formulate uniform scheme for all lawyers for the purpose of welfare.
- K. BECAUSE the State Bar Council of Bihar and Jharkhand have not devised any scheme till date to aid and assist the needy lawyers, the petitioner whose roots lies in the

State of Bihar, is aware of the position of the lawyers in the various parts of the state, they stand at a disadvantageous position because of no proper development still having taken place.

10. The petitioners submit that it has not filed any other Writ Petition in the above subject matter before any other high court or before this Hon'ble Court.
11. The present Writ Petition does not suffer from any delay or laches and is being filed at first instance. It is submitted that the Petitioner has no other efficacious remedy available to her other than filing the present Writ Petition. The present Writ Petition is maintainable against the Respondent being the instrumentality of the State under Article 12 of the Constitution of India.
12. **MAIN PRAYER:**

It is, therefore, most respectfully prayed that this Hon'ble Court may graciously be pleased to:

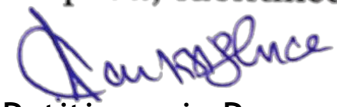
 - i. allow the present Petition issuing appropriate writ of mandamus or such other Writ and or direction(s) or order(s) in favour of the Petitioner and against the respondents by directing the respondents herein to prepare a uniform national level scheme to deal with the present situation and similar situations if arisen in future; and/or

- ii. pass necessary orders against the Respondent No. 2, 3,4, 6, 7, 8, 9 & 11 to 21 by striking down all such classifications relating to years of practice, age and non-extension of benefit to those who are assessable to income tax as arbitrary and ultra vires; and/or
- iii. issuing appropriate writ of mandamus or such other Writ and or direction(s) or order(s) in favour of the Petitioner and against the Respondent No. 2 to 21, by directing them to furnish the accounts of their welfare fund;and/or
- iv. issuing appropriate writ of mandamus or such other Writ and or direction(s) or order(s) in favour of the Petitioner and against the Respondent No. 2, 5 & 10 to immediately devise the scheme for financial aid to the needy lawyers; and/or
- v. pass necessary orders against the Respondent No. 11 by striking down Notification No. KBC/WF/GOV/04-01/2020 wherein welfare scheme has been termed as loan, as arbitrary and ultra vires; and/or
- vi. pass such other and or further order(s) as this Hon'ble Court may deem fit and proper in interest of justice.

AND FOR THIS ACT OF KINDNESS YOUR HUMBLE PETITIONER AS IN DUTY BOUND SHALL EVER PRAY.

DRAWN &FILED BY:

ABHINAV RAMKRISHNA



Petitioner in Person

DRAFTED ON :26.04.2020
FILED ON: 27.04.2020
PLACE : NEW DELHI

IN THE SUPREME COURT OF INDIA

ORIGINAL WRIT JURISDICTION

WRIT PETITION (C) NO. OF 2020

IN THE MATTER OF:

ABHINAV RAMKRISHNA

PETITIONER

Versus

UNION OF INDIA & ORS

RESPONDENTS

AFFIDAVIT

I Abhinav Ramkrishna Age 36 yrs, son of Sh. Mahanand Jha resident of Alexandra C-406, Grand Omaxe, Sector 93B, NOIDA, UTTAR PRADESH, presently at Delhi do hereby solemnly affirm and state as under:-

1. That I am the petitioner in the above such matter as such am well acquainted with the facts and circumstances of the present case, hence competent to swear this affidavit.
2. That I have been read understood the contents List of Date and Events from pages B to F, Writ Petition containing para 1 to 1 from pages 1 to 22 along with application at page no. 44 to 46. The facts stated therein are true and correct to the record of the case, which I believe to be true
3. That the annexures filed are true copies of the original.
4. That nothing untrue and incorrect has been stated in the present petition
5. That there is no personal gain, private motive & oblique reasons in filing the public interest litigation.
6. That the court may impose cost if it finds personal gain, private motive & oblique reasons in filing the public interest litigation.


DEPONENT

VERIFICATION:

Verified at Delhi on 27th day of April, 2020. I, the above-named deponent, do hereby verify that the contents of the above affidavit are true and correct to the best of my knowledge and belief. No part of it is false and nothing material has been concealed there from.


DEPONENT

ANNEXURE P1

BAR COUNCIL OF THE STATE OF ANDHRA PRADESH :: AMARAVATI

Smt. B. Padma Latha, B.Com, LL.B.
I/c. Secretary,
Bar Council of Andhra Pradesh,
Ground Floor, High Court Buildings,
Nelapaudu,
AMARAVATI – 522 239



R.O.C.No. 97 / 2020

Dt. 23-04-2020

Sir,

Sub:- Bar Council of Andhra Pradesh - Providing Financial Assistance to the needy advocates from the **Funds of the Bar Council of India Advocates Welfare Fund** and **Bar Council of Andhra Pradesh Indigent and Disable Advocates Fund** – Due to lockdown in the wake of COVID – 19 –Reg.

In furtherance of the earlier circular dated 12-04-2020, it is decided to provide Financial Assistance to the advocates, who enrolled from 01-01-2005 to 31-12-2009 from the funds of the “Bar Council of India Advocates Welfare Fund” and “Bar Council of Andhra Pradesh Indigent and Disabled Advocates Fund”, subject to the following terms and conditions.

- i) This scheme is meant for Advocates, who are unable to meet their day-to-day expenses for food or medicines due to the lockdown in the wake of national pandemic - COVID 19 virus.
- ii) Advocates filed applications under Certificate and Place of Practice (Verification) Rules, 2015 are only eligible.
- iii) Advocates enrolled from 01-01-2005 to 31-12-2009 and below 50 years of age are only eligible.

- iv) Advocate should have Aadhaar Card.
- v) Spouse should not be an employee.
- vi) Advocate / Spouse should not have either own house or four wheeler.
- vii) Advocate enrolled after retirement from any service is not eligible.
- viii) Advocate should not draw any amount either from the Central or State Governments, vide scheme provided under Covid - 19.
- ix) If any ineligible Advocate availed the above financial benefit by furnishing false information, he is liable for disciplinary action under Sec.35 of the Advocates Act, 1961.

The Advocates can submit the online applications from 24-04-2020 to 26-04-2020, and the office will verify the details submitted in the application and will display the list of applicants, Bar Association wise, in the website of the Bar Council on 27-04-2020, to enable the Bar Associations to raise objections, if any, within 24 hours.

After verification, the applications will be placed before the Special Committee for grant of the amount, constituted for the said purpose. The quantum of amount will be decided by the Committee, depending upon the number of applications received and availability of the Fund. The amount granted will be credited directly, through online to the respective Accounts of the needy Advocates.

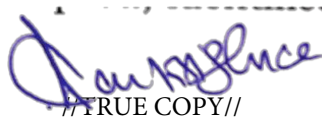
The Bar Council appeals that only those advocates, who are in dire need can apply for assistance, in view of the limited resources, available. The advocates may apply for Financial Assistance in the prescribed digital form under the conditions framed thereunder. The application, eligible criteria and instructions are available on the

website of Bar Council and the advocates can apply, only **through online** digital application <https://barcouncilap.org/financial-assistance-covid-19> and the web link will be available for 3 days i.e. from 24-04-2020 to 26-04-2020.

On enquiry, if it is found that any applicant claimed the benefit, though not eligible as per the guidelines, disciplinary action will be initiated against the concerned, under Sec. 35 of the Advocates Act, 1961, in addition to recovery of the amount with penalty as determined by the Committee.

B. Padmalatu

I/c Secretary, Bar Council


//TRUE COPY//

BAR COUNCIL OF HIMACHAL PRADESH

(High Court Complex Raveneswood Shimla-171001)

Phone:2657455 & 2659071
Email: hpbarcouncil@rediffmail.com

Dated: 19.04.2020

To

The President / Secretary

All Bar Associations

State of HP

Sir/Madam,

This is to inform you that Bar Council of HP has decided to grant one time financial assistance to needy advocate adversely effected on account of curfew lockdown of Courts due to COVID-19 pandemic. The criteria for financial assistance and application form is annexed with this covering letter as Annexure A and B.

You are requested to circulate the same in your concerned Bar Association. This is to inform all.

Vipin Pandit

Vipin Pandit

Hon Secy.

Bar Council HP

BAR COUNCIL OF HIMACHAL PRADESH

(High Court Complex Raveneswood Shimla-171001)

Phone:2657455 & 2659071
Email: hpbarcouncil@rediffmail.com

Annexure-A

APPLICATION FORM

(For providing financial assistance to an advocate who is in a state of financial distress due to the lockdown and imposition of curfew in the state due to Covid19 Pandemic.)

1. Name of advocate:	
2. Date of birth:	
3. Permanent address:	
4. Present address where the applicant is residing during period of lockdown:	
5. Name of father:	
6. Mobile Number and email address	
7. Enrolment No with Bar Council and Date	
8. Details of passing AIBE;	
9. Place of practice;	
Year of practice;	
10. Name of Bar Association of which the advocate is member;	
11. Annual income of the advocate from all sources;	
12. Whether the advocate is an income tax assessee;	
13. Marital status;	
14. Income of spouse if any;	
15. Whether any immovable property is owned by applicant or spouse;	
16. Whether the applicant owns four wheel vehicle;	

(The following information is being sought for appraisal and evaluation of the claim of the applicant to consider the application on merit)	
17. Whether applicant is member of join family (consisting of mother, father & spouse,):	
18. Whether the family member has own independent income;	
19. Gross annual income of family member(s) from all sources;	
20. Whether family member(s) own immovable property;	
21. Whether the family member(s) are dependent upon the applicant;	
22. Reasons and circumstances in brief for claiming financial assistance;	
23. Name of Bank;	
Account number	
IFSC Code:	
Account holder name (as recorded in bank record)	

Declaration;

I Advocate do hereby declare that I am in active and regular practice and member ofXX..... Bar Association sinceXX..... Ye no other income from any other source except from my profession. I am facing great financial hardship caused due to

COVID19 pandemic and imposition of curfew and lockdown enforced in the State of H.P. I hereby declare that above information given in the application are true and correct to the best of my personal knowledge and in case the same found to be false or incorrect then I shall be liable to refund the amount received from State Bar Council, besides being liable for disciplinary action for misconduct under the Advocates Act, 1961.

Signature of applicant.

Recommendation by Office Bearer (s) (President and Secretary) of the concerned Bar Association of which the applicant is member ;

Signature with Designation.

Note (exclude condition no 3 if not applicable)

1. The decision of bar council shall be final for accepting or rejecting the claim if not found in order.
2. The applicant has gone through and understood the criteria of granting financial assistance
3. The applicant has not passed AIBE examination and so undertakes to clear the same within stipulated period to clear the same ,failing which he will refund the financial aid provided to him by the Council within period of one month from the time the period to clear AIBE examination elapsed.

Signature of applicant

Annexure-B

The guidelines/ eligibility criteria to provide onetime financial assistance to advocates during the period of lockdown and curfew imposed in the state of H.P to contain the transmission of COVID19 Virus.

(Based on report of Finance Committee of Bar Council of HP)

1. The applicant is in active legal profession and is a member of the respective Bar Association where he uses to practice regularly. The submission of application should be recommended by the office bearer(s) (President and Secretary) of the concerned Bar Association of which the applicant is the member.
2. Advocates/Applicants must have passed the AIBE examination or undertakes to get the same passed within stipulated period, failing which he will refund the amount of aid to Bar Council within period of one month from elapse of statutory period to get AIBE examination passed.
3. The applicant should be the sole earning member in the family (i.e. consisting of spouse, father, mother or children) and the family members are dependent upon the income of the applicant. None of the family members of the applicant should be in employment or has any other source of income. The applicant must disclose his income and also the income of his family members from all the sources
4. The applicant should not be an income tax assesses.
5. The applicant is in a state of financial distress and is finding difficult to financially sustain himself or his family or to purchase medicine or to get regular treatment due to extraordinary situation of the present nature.
6. The applicant must disclose and give details of immoveable properties owned by him and his family member(s)
7. Advocate who has joined the profession after retirement shall not be eligible for any grant under this scheme.
8. Advocate/Spouse should not have four wheel vehicle(s).
9. Applicant must honestly disclose the actual financial status and facts in brief requiring financial assistance.
10. An undertaking from the applicant to be obtained of the penal consequences including initiation of disciplinary action for claiming assistance on false and incorrect facts.


// TRUE COPY //



ಕರ್ನಾಟಕ ರಾಜ್ಯ ವಕೀಲರ ಪರಿಷತ್ತು
KARNATAKA STATE BAR COUNCIL

ಆನಿಲ್ ಕುಮಾರ್ .ಜೆ.ಎಂ
ಅಧ್ಯಕ್ಷರು

Anil Kumar .J .M
Chairman

CIRCULAR

KSBC Covid-19 Advocates Relief Fund.

The decision taken by the Covid-19 Relief Committee of KSBC in its meeting held on 14th April 2020 is as follows;

1. The last date to submit applications is extended upto 18th April 2020 till 4:30pm. As intimated earlier, only those Advocates who have enrolled after 1:1:2010 and who are facing severe financial crisis can submit the applications.
2. Since many advocates and office bearers of the Advocates Associations have requested to relax the Certifications by the President/Secretary, the committee has decided not to insist on certifications. However, the self-declaration in the form enclosed along with this circular/letter has to be submitted by the applicants.
3. It is made clear that the advocates who have already submitted the applications are required to submit the self-declaration without fail on or before 18th April 2020 till 4:30pm. .
4. The applications and declarations can be directly sent to Karnataka State Bar Council by email. Email address kar_barncouncil@yahoo.com

Bangalore

Dated : 14.04.2020


Chairman

Old Election Commission Office, Dr. Ambedkar Veedhi, Bangalore - 560 001

Ph. : 080-2286 8712 / 080-2286 8561 / E-mail : kar_barncouncil@yahoo.com



ಕರ್ನಾಟಕ ರಾಜ್ಯ ವಕೀಲರ ಪರಿಷತ್ತು
KARNATAKA STATE BAR COUNCIL

ಅಧೀಶ ಕುಮಾರ್ .ಜಿ.ಎಂ
ಅಧ್ಯಕ್ಷರು

Anil Kumar .J.M
Chairman

To,
The President/Secretary,
Advocates Association,

06.04.2020

Respected Sir,

Sub: Financial Assistance under the Karnataka State Bar Council -Covid-19
Advocates Relief Fund.

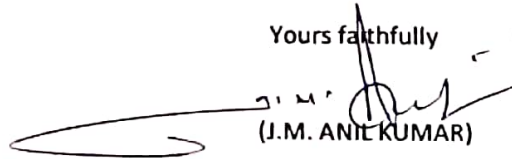
Applications are invited from the Advocates in the prescribed format who have enrolled after 01.01.2010 and are facing financial crisis due to lock down in view of spreading of pandemic Novel Corona (Covid-19) virus. Applications may be submitted through on line, on or before 14.04.2020. Applications will be considered for financial assistance on fulfilling the following conditions:

1. He/she must have completed/passed AIBE Examination conducted by the BCI
2. Must have submitted Declaration/COP Applications
3. Who have enrolled after the age of 40 years are not eligible for financial assistance.
4. Application must be certified by Advocates Association where he/she is practicing.
5. If any information furnished in the Application is found false, same will not be considered.

We are also requesting the Advocates to contribute liberally to the KSBC to assist more number of needy Advocates.

Thanking you

Yours faithfully


(J.M. ANIL KUMAR)

Old Election Commission Office, Dr. Ambedkar Veedhi, Bangalore - 560 001

Ph. : 080-2286 8712 / 080-2286 8561 / E-mail : kar_bar council@yahoo.com

DECLARATION

I do hereby declare that the information furnished by me hereunder is true and correct. I understand and agree that any false information furnished by me would be construed as misconduct under the Advocates Act, 1961, in addition to recovery of the amount with penalty as determined by the Karnataka State Bar Council. I declare that at present I am in dire need of financial assistance for my sustenance. Further I agree that I do not claim any privacy over the information furnished in this declaration.

I hereby declare that;

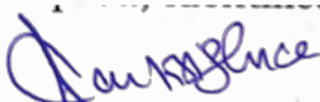
- | | |
|---|--------|
| 1. I am son/daughter of a practicing lawyer | YES/NO |
| 2. My father/mother is a judge serving or retired | YES/NO |
| 3. My father/mother is a Government servant serving or retired. | YES/NO |
| 4. I am residing in own house | YES/NO |
| 5. I own a four wheeler | YES/NO |
| 6. I own a two wheeler | YES/NO |
| 7. I am receiving stipend from the Government. | YES/NO |
| 8. My spouse is an employee earning salary. | YES/NO |
| 9. I am an income tax assessee | YES/NO |
| 10. Myself or my family owns agricultural lands yielding income | YES/NO |
| 11. Myself or my family owns buildings fetching rental | YES/NO |
| 12. I am associated with a senior lawyer. | YES/NO |
| 13. Name and contact number of my senior lawyer. | |
| 14. My senior is giving remuneration for my work. | YES/NO |

I do hereby state that what is stated above is true and correct .

Place

Date:

Applicant


// TRUE COPY //

©
കേരള സർക്കാർ
Government of Kerala
2020



Regn.No. KERBIL/2012/45073
dated 05-09-2012 with RNI
Reg No.KI/TV(N)/634/2018-20

കേരള ഗസറ്റ്
KERALA GAZETTE
അസാധാരണം
EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്
PUBLISHED BY AUTHORITY

വാല്യം 9 Vol. IX	തിരുവനന്തപുരം, തിങ്കൾ Thiruvananthapuram, Monday	2020 ഏപ്രിൽ 13 13th April 2020 1195 മീനം 31 31st Meenam 1195 1942 ചൈത്രം 24 24th Chaithra 1942	നമ്പർ No.
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BAR COUNCIL OF KERALA
NOTIFICATION

No. KBC/WF/GOV/04-01/2020.

8th April, 2020.

In exercise of the powers conferred by section 27 of the Kerala Advocates' Welfare Fund Act, 1980 (21 of 1980) the Bar Council of Kerala, with the previous approval of Government issued as per G. O. (Ms.) No. 35/2020/Law dated 8th April, 2020 hereby make the following rules further to amend the Kerala Advocates' Welfare Fund Rules, 1981 issued as No. KBC/Govt.26/1981 dated 27th March, 1981 and published in the Kerala Gazette Extraordinary No. 245 dated 27th March, 1981, namely:—



RULES

1. *Short title and commencement.*—(1) These rules may be called the Kerala Advocates' Welfare Fund (Amendment) Rules, 2020.

(2) They shall come into force at once.

2. *Amendment of the Rules.*—In the Kerala Advocates' Welfare Fund Rules, 1981,—

(a) after rule 14, the following rule shall be added, namely:—

“15. *Interest Free Loan.*—The Trustee Committee may, subject to availability of fund, sanction an interest free loan amount up to ₹ 10,000 (Rupees ten thousand only), on an application in Form XII by a member who is unable to practice due to a lock down declared by the Government pursuant to outbreak of any epidemic disease notified under any law for the time being in force subject to the following conditions, namely:—

(i) The member of the Fund applying for interest free loan shall not be a defaulter under sub-section (7) of section 15 of the Act as on the date of submission of the application;

(ii) The maximum amount of loan permissible shall be the amount standing at the credit of the applicant or an amount up to ₹ 10,000 (Rupees ten thousand only) whichever is lesser;

(iii) The loan amount shall be repaid by the member either in instalments or in lump without interest within a period of 15 months;

(iv) If the loan amount is not repaid within the stipulated period, the outstanding loan shall carry interest at the rate of 12% per annum.”.

(b) after Form XI, the following Form shall be added, namely:—



“FORM NO. XII
(See rule 15)

- 1. Name and address of the member :
(in block letters)
- 2. Registered Mobile Number of the member :
- 3. Age and Date of birth of member :
- 4. Date of Enrolment and Roll Number :
- 5. Membership Number of Fund :
- 6. Details of practice :
- 7. Date of remittance of last subscription to the Fund :

DECLARATION

I, XX
do hereby solemnly declare that the particulars
furnished above are true and correct and I am not a defaulter of annual subscription to the Fund.
I hereby solemnly undertake that I shall repay the loan amount sanctioned to me within
15 months or in lump as specified under the rules.

XX
Place..... ,
XX
Date.....

[Handwritten Signature]

Signature of applicant.”.

//TRUE COPY//

Chairman,
Bar Council of Kerala.

OSBC-2020(181)

Date. 01.04.2020

To

The Presidents & Secretaries,
of All Bar Associations,
State of Odisha.

Sub:- Financial Assistance to needy & deserving advocates having less than 10years practice in view of the unprecedented situation of lockdown imposed due to COVID-19.

Sir,

As directed I am sending herewith the resolution of the Special Committee, Odisha State Bar Council wherein it is resolved to provide Financial Assistance to needy & deserving advocates due to the unprecedented situation of lockdown imposed due to COVID-19. The said Resolution is attached herewith.

Yours Sincerely

Sd/-

(J. K. Samantasinghar)

Secretary

Odisha State Bar Council

RESOLUTION OF EXTRA ORDINARY EMERGENT MEETING
OF SPECIAL COMMITTEE, ODISHA STATE BAR COUNCIL,CUTTACK,
DTD.01.04.2020, AT 10.00.A.M.

Whereas due to the extraordinary emergent situation occasioned by the extremely limited functioning of all courts in light of the lockdown announced by the Central and State Governments due to which almost everybody is confined to his/her house;

And Whereas in recognition of the fact that many advocates are of limited means and are facing extreme financial hardship on account of the lockdown;

And Whereas in cognizance of several representations those are received from various members of Bar Associations across the state of Odisha seeking financial aid for such advocates;

“It is hereby resolved by the Special Committee on behalf of the Odisha State Bar Council that financial assistance will be made available to such deserving advocates genuinely in need of financial aid on account of lockdown imposed due to Covid-19 from the Odisha State bar Council Advocates' Welfare Corpus Fund, on applying in the prescribed format.

AND it is requested that applications for financial assistance by genuinely needy Advocates practicing below 10 years in the prescribed format (appended hereto) shall be

submitted to Odisha State Bar Council through their respective Bar Associations. The immediate continuing President and Secretary of the respective Bar Associations are requested to receive such applications submitted as per the prescribed format, within seven Daystar from the date of communication of this Resolution. The immediate continuing President and Secretary of the respective Bar Associations are requested to take effective steps for verifying the particulars/details furnished in the applications. The respective Bar Associations whose members have applied for such financial assistance are requested to submit the same before the Secretary, Odisha State Bar Council under the seal and signature of the immediate continuing President and Secretary of the respective Bar Associations. In the event the details furnished in the application are found to be false/incorrect the same shall be treated as misconduct of the concerned Advocate. The immediate continuing President and Secretary of the respective Bar Associations shall also be accountable for any lapse in verifying the details and particulars furnished by the member of its association which it forwards to the Secretary Odisha State bar Council for Processing.

AND further resolved that all such applications which are received in the prescribed format shall be scrutinised by a committee appointed by the Special Committee on behalf of the Odisha State Bar Council and in all genuine and bona-fide cases, such financial assistance shall be approved."

Encl: Prescribed Format of the Application

The Chairman and members of the Special Committee of the Odisha State Bar Council have had discussions amongst themselves with regard to the request made by various Advocates of the State in view of the unprecedented situation that has arisen due to Covid-19 pandemic. After discussion/consultation amongst each other, it is hereby unanimously resolved by the Special Committee on behalf of the Odisha State Bar Council that;

- (i) An appeal be made by the Special Committee of the Odisha State Bar Council through the respective Bar Associations to all its members having more than fifteen years of practice to donate funds generously to the Odisha State Bar Council by depositing their contribution for the purpose of providing financial assistance to the needy Advocates of the State in the following account;

Name of the Account : Odisha State bar Council Advocates' Welfare Corpus Fund,

- (ii) It is further resolved that all the immediate continuing President and Secretary of the different Bar Associations be requested to process the

applications submitted by their practicing members seeking financial assistance at the earliest.

- (iii) It is also hereby resolved to request Bar Council of India to make available adequate funds to the Odisha State Bar Council, so as to facilitate grant of financial assistance to enrolled practicing Advocates.
- (iv) It is further resolved to request Mr. D.P. Dhal, Senior Advocate, Member Representative to Bar Council of India, representing Odisha State Bar Council to kindly pursue the request of Odisha State Bar Council to the Bar Council of India, so that adequate funds are made available to Odisha State Bar Council at the earliest to be utilised for the benefit of needy Advocates.

Sd/-

(M. R. Mohapatra)
Member

Sd/-

(A .K. Baral)
Vice Chairman.

Sd/-

(Ashok. K. Parija)
Advocate General,
cum
Chairman, Spl. Committee,
Odisha State Bar Council


//TRUE COPY//



THE BAR COUNCIL OF RAJASTHAN
OLD HIGH COURT BUILDINGS
JODHPUR – 342001

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

42

No.BCIAWF/Covid-19

Dated: 25.04.2020.

To

**Presidents/Secretaries of all the Registered Bar
Associations in the State.**

Dear Sir,

It is informed that The Bar Council of India Advocates Welfare Fund Committee for the State of Rajasthan in its Urgent Meeting (telephonically) held on 11.04.2020 has considered the matter regarding transfer of amount of Rs.3.00 Crores (Rupees Three Crores only) from Bar Council of India Advocates Welfare Fund for the State of Rajasthan in the fund to be constituted by the Bar Council of Rajasthan for providing financial assistance to Indigent and Disabled Advocates of the Rajasthan to enable them and their families to subsist and survive during the Crisis of Covide-19."

The Bar Council of India vide letter dated 19.04.2020 has conveyed that a total amount Rs.1.00 Crore may be disbursed by the Honble Co-Chairman Bar Council of India representing the State of Rajasthan in Bar Council of India, Shri Suresh Chandra Shrimali who is also the Chairman of the Bar Council of India Advocates Welfare Fund Committee for the State of Rajasthan from the Bar Council of India Advocates Welfare Fund for the State of Rajasthan, in case he deems fit and proper according to the situation in his State the needy and indigent Advocates in times of such crisis.

Thereafter, an Urgent Meeting of the Bar Council of India Advocates Welfare Fund Committee for the State of Rajasthan was held on 23.04.2020 (telephonically). Shri S.C. Shrimali, Chairman and Shri Jagaml Singh Choudhary, Member and Shri Sanjay Sharma, Member participated in the meeting. In the meeting, the Committee has decided that a sum of Rs.5,000/- (Rs. Five Thousand only) each be given as financial assistance to the needy and Indigent and Disabled Advocates of Rajasthan. The Committee has framed the conditions/guidelines and norms for giving financial assistance to the needy and Indigent and Disabled Advocates during the lockdown due to Covid-19.



THE BAR COUNCIL OF RAJASTHAN
OLD HIGH COURT BUILDINGS
JODHPUR – 342001

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

The Committee has also approved the prescribed application form for obtaining the financial assistance.

If any Advocate takes undue advantage of this scheme by false giving information, his/her action would be treated as professional misconduct by the Bar Council of Rajasthan.

Only the Advocates, who are in dire need of assistance, who are unable to meet their day-to-day expenses or food or even medicines, and are practicing in Rajasthan will be given the benefits of this financial assistance.

I am directed to request you to kindly give the wide publicity amongst the Members of your Bar and compliance the conditions/guidelines issued by the Bar Council of India Advocates Welfare Fund Committee for the State of Rajasthan and forward the applications as per norms decided by the Committee. A copy of Conditions/Guidelines, norms, prescribed application form decided by the Committee is/are enclosed herewith for your ready reference.

The application form must reach in the Office of the Bar Council of Rajasthan through e-mail i.e., secretary@barcouncilofrajasthan.org by 03rd May, 2020 positively. The application form and other details in this regard is also available on the website of Bar Council of Rajasthan i.e., www.barcouncilofrajasthan.org.

Thanking you,

Yours faithfully,

(R.P. Malik)
Secretary

Encl: As Above.

Copy to : All the Hon'ble Members of Bar Council of Rajasthan.

IN THE SUPREME COURT OF INDIA

I I ORI IN JURISDICTION

I.A. NO. ____ OF 2020

IN

WRIT PETITION (C) NO. ____ OF 2020

IN THE MATTER OF:

ABHINAV RAMKRISHNA

PETITIONER

Versus

UNION OF INDIA & ANR

RESPONDENTS

AN APPLICATION FOR EXEMPTION FROM FILING NOTARY/OATH**COMMISSIONER ATTESTED AFFIDAVIT & AFFIXING WELFARE****STAMP ON THE VAKALATNAMA**

TO

THE HON'BLE CHIEF JUSTICE OF INDIA
AND HIS COMPANION JUSTICES OF THE
SUPREME COURT OF INDIATHE HUMBLE PETITION OF THE
PETITIONERS ABOVE NAMED.MOST RESPECTFULLY SHOWETH:

1. That the present Writ Petition is being filed by the
Petitioner, who is a practicing Advocate on Record
before this Hon'ble Court and is also Executive Member
of the Supreme Court Advocate on Record Association,
being a vigilant citizen as well as member of legal
fraternity of country and cautious about economic
hardship which are being faced by the members of the
legal fraternity, more particularly the lawyers who earn
their bread and butter from litigation by making daily
appearance in the court and also by filing of the various

petitions on behalf of the client, which is by rule is always accompanied by a vakalatnama upon which a substantial amount of welfare stamp is affixed, according to rules framed by the different State Bar Councils in consonance and conformity with the respective State Government and the Bar Council of India.

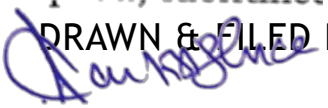
2. The facts stated in the Special Leave Petition may be read as a part of this application.
3. That the petitioner being the practicing advocate before this Hon'ble Court has filed an unattested affidavit in support of the petition, since there is a nationwide lockdown, the movement of the petitioner from his residence to court premises is not possible and therefore the present application. The petitioner undertakes to file the notarized/oath commissioner attested affidavit as soon as the court opens.
4. Therefore, in the interest of justice kindly exempt the petitioner from filing notarized/oath commissioner attested affidavit and affixing welfare stamp on vakalatnama in terms of the prayer made hereunder.

PRAYER

On the aforesaid submissions the petitioners humbly pray that the Hon'ble Court be pleased to: -

- a) Kindly exempt the petitioner from filing notarized/oath commissioner attested affidavit and affixing welfare stamp on vakalatnama; and/or
- b) pass such further and other orders as are necessary in the interest of justice.

AND FOR THIS ACT OF KINDNESS YOUR HUMBLE PETITIONER
AS ARE DUTY BOUND SHALL EVER PRAY.

DRAWN & FILED BY:

ABHINAV RAMKRISHNA
Petitioner P

DRAFTED ON 26.04.2020
FILED ON 27.04.2020
PLACE : NEW DELHI

आयकर विभाग
INCOME TAX DEPARTMENT
ABHINAV RAMKRISHNA



भारत सरकार
GOVT. OF INDIA

MAHANAND JHA

16/09/1983

Permanent Account Number

ALEPR6497D

Signature



16082016

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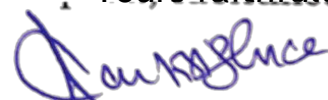
MEMORANDUM OF APPEARANCE IN PERSON

To,
The Registrar,
Supreme Court of India,
New Delhi

Sir,

Please enter an appearance for the abovenamed petitioner in person the above-mentioned petition/ case/ appeal/ matter.

Yours faithfully



ABHINAV RAMKRISHNA

Place: New Delhi

Date: 27.04.2020



:: Verify e-Court Fee Receipt

Receipt Details

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Name of Litigant	: ABHINAV RAMKRISHNA
e-Court Fee Receipt No	: DLCT2734D2052S945
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Name of Litigant	: ABHINAV RAMKRISHNA
e-Court Fee Receipt No	: DLCT2746D2054S946
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Status	: Not Locked

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