

The Islamabad legal Practitioners & Bar Council Rules,

**THE ISLAMABAD LEGAL PRACTITIONERS AND BAR
COUNCIL RULES, 2017**

(Passed by Islamabad Bar Council in its meeting held on 1_____)

CHAPTER – 1
PRELIMINARY

1.1 These Rules shall be called the Islamabad Legal Practitioners and Bar Council Rules, 2017.

1.2 . They shall come into force at once.

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

- a) “Act” means the Legal Practitioners and Bar Councils Act, 1973;
- b) “Rules” means the Islamabad Legal Practitioners and Bar Council Rules, 2017.
- c) “Advocate-General” means the Advocate-General for Islamabad capital territory;
- d) “Bar Council” means the Islamabad Bar Council;
- e) “Bar Association” means the Islamabad District Bar Association and the Islamabad High Court Bar Association recognized as such by the Bar Council;
- f) “ICT” means The Islamabad Capital Territory;

The Islamabad legal Practitioners & Bar Council Rules,

- g) “Chairman” means the Chairman of the Islamabad Bar Council;
- h) “Committee” means a Committee constituted by the Bar Council;
- i) “Misconduct” means violation of any provision of the Act, Islamabad legal practitioners and Bar Council Rules 2017; Pakistan legal practitioners and Bar Council Rules 1976 and also includes non observance of any direction/ instruction of the Bar Council.
- j) “Form” means form appended to these Rules;
- k) “Member” means a member of the Islamabad Bar Council elected as such under Section 5, or who fills the vacancy of an elected member under Section 16(b);
- l) “Rules” means the Islamabad Legal Practitioners and Bar Council Rules, 2017;
- m) “Secretary” means the person appointed as Secretary of the Bar Council and includes any other person to whom all or any of the functions of the Secretary are for the time being entrusted by the Bar Council or the Chairman;
- n) “Section” means a section of the Act;
- o) “Voter” means an Advocate whose name for the time being appears on the rolls of the Bar Council; and
- p) “Vice-Chairman” means the Vice-Chairman of the Bar Council elected under Section 6 of the Act;

1.4 The terms not defined herein shall, wherever the context so permits, have the same meaning as is assigned to them under the Act.

The Islamabad legal Practitioners & Bar Council Rules,

CHAPTER – II **MEETINGS**

- 2.1. The first meeting of the Bar Council shall be held within a month of the commencement of the term of the Bar Council.
- 2.2. Ordinary meetings of the Bar Council may be convened by the Chairman, or in case he is for some reason unable to act, by the Vice-Chairman: Provided that not more than two months shall elapse between any two meetings of the Bar Council.
- 2.3. The Chairman and in his absence the Vice-Chairman shall convene a meeting of the Bar Council requisitioned by at least two members within seven days of the requisition but in case of emergency the requisitioned meeting could be convened within three days. In case the requisitioned meeting is not convened within the prescribed time the requisitionists may convene the requisitioned meeting and all expenses incurred in that behalf shall be borne by the Bar Council.
- 2.4. Notice required for a meeting of the Bar Council shall be of five days and for a meeting of a Committee, of three days, while the agenda for the meeting shall be served five days before the meetings of the Bar Council and three days in the case of a meeting of Committee:

Provided that in case of emergency, notice for a shorter period shall be sufficient.
- 2.5. Quorum for a meeting of the Bar Council shall be 1/3 of the total number of members of the Bar Council and for a meeting of a Committee shall unless otherwise provided, be two of the members of the Committee.

The Islamabad legal Practitioners & Bar Council Rules,

Provided that where a meeting of the bar Council or the committee as the case may be could not be held for want of quorum it shall be adjourned to the next day.

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

2.7. Where Bar Council is conducting any of the meeting or seminar, where participant include other people or Advocates in addition to the members of the Bar Council, then it shall be presided over/chaired by the Vice chairman. In case any of such meeting or seminar is being conducted by any committee than it shall be presided over by the chairman of said committee.

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

Provided that any other business, May with the permission of the Chairman of the meeting, be considered;

Further provided that if the majority of the Members present agree, to discuss the same then said matter shall also be considered.

2.9. Decisions of any meeting shall be by a majority vote, Voting shall be by show of hands and In the case of equality of votes, The Chairman of the meetings shall have a right of secondvote.

The Islamabad legal Practitioners & Bar Council Rules,

- 2.10. Notices shall be served either personally or through registered post or by such other mode as the Bar Council may determine.
- 2.11. All proceedings of a meeting shall be entered in the Minutes Book in English / Urdu or in both to be maintained by the Secretary and the record of the proceedings shall be prepared under the directions of the Chairman of the meeting and shall be signed by him and other member shall be. All Members of the Bar Council or the Committee, as the case may be, shall be entitled to inspection of the Minutes Book at all reasonable times.
- 2.12. Any matter determined by a resolution of the Bar Council shall not be re-opened within three months of the date of the resolution unless two third of the total number of Members make a requisition in writing to that effect.

CHAPTER-III

CHAIRMAN, VICE-CHAIRMAN AND SECRETARY

- 3.1 The Chairman shall be responsible for ensuring the compliance with the provisions of the Act and the Rules. He shall exercise the powers and perform the functions assigned to him by the Act and the Rules.
- 3.2 The Vice-Chairman shall have the responsibility and powers of the Chairman under the rules, and shall discharge the functions of the Chairman in case the Chairman is incapable of acting, due to his official engagements or is not in position to do act for any other reason. He shall be ex-officio member of every Committee constituted under Rule 4.1 and shall be responsible for coordinating the functioning of all Committees.

The Islamabad legal Practitioners & Bar Council Rules,

- 3.3 There shall be a Secretary of the Bar Council to be appointed by the Bar Council. In case of emergency, the Chairman or Vice Chairman may nominate any person to discharge the functions of the Secretary till the next meeting of the Bar Council when the matter will be placed before it.
- 3.4 Subject to the provisions of the Act and the Rules the Secretary shall, under the supervisory control of the Executive Committee, exercise such powers and functions as may be entrusted to him by the Bar Council.
- 3.5 Notices of the meetings of the Bar Council and of its Committees shall be issued by the Secretary.

CHAPTER-IV

EXECUTIVE COMMITTEE

4.1. Subject to the supervision and general control of the Bar Council, the Executive Committee shall, in addition to the functions entrusted to it under the Act and the Rules, have the following functions and power;

(a) To supervise and deal with all matters regarding administration of the Bar Council;

(b) To recommend to the Bar Council the qualification, terms and conditions of the staff of the Bar Council;

The Islamabad legal Practitioners & Bar Council Rules,

(c) Subject to the approval of the Bar Council at its next ensuing meeting, to appoint, suspend, remove and dismiss the staff of the Bar Council; Provided that no appointment or dismissal in relation to a person drawing salary above Rs. 15000/- per mensem shall be made by Executive Committee without prior approval of the Bar Council; Provided further that in case of urgency the Chairman of the Executive Committee may exercise these powers;

(d) To implement the decisions of the Bar Council;

(e) To receive and in consultation with the Vice-Chairman, deal with the representations and complaints of Advocates and resolutions of the Bar Association concerned in relation to the Courts and Executive Authorities. The action taken under this clause shall be laid before the Bar Council at its next meeting;

(f) In consultation with the Vice-Chairman to mediate disputes between Advocates inter se, between the Advocates and the Bar Association or between the Bar Association inter se;

(g) To constitute sub-Committee and to entrust such of its functions thereto as may be necessary ;

(h) To advise the Bar Council in all matters relating to its functions;

The Islamabad legal Practitioners & Bar Council Rules,

(i) To institute and defend suits and other proceedings on behalf of the Bar Council and for this purpose to appoint Advocates, agents and to authorize any person to sign and verify the pleadings and to appear and action behalf of the Bar Council;

Provided that the fee payable to the Advocate for such services shall be settled after prior Constitution with the Chairman and the Vice-Chairman. The information in regard to this matter will be laid before the Bar Council in its next meeting;

(j) To perform such other functions as the Bar Council may entrust to it.

CHAPTER-V

COMMITTEES

5.1. Any Committee constituted by the Bar Council under Section 10(3) shall not comprise of more than three Members, including the Chairman of the Committee.

5.2. The Bar Council shall constitute the following Committees :-

Benevolent Fund Committee

Human Rights Committee

Inter Provincial Bar Councils Relationing Committee

Legal Education Committee

Rules Committee

The Islamabad legal Practitioners & Bar Council Rules,

Free Legal Aid Committee

Or any other committee as the bar Council may deem necessary to perform any of such functions which are not provided here in before or not assigned to any of the above mentioned committees.

5.3. The Chairman of every Committee constituted under Rules 4.1 and 4.2 shall be elected by the Bar Council.

5.4. The term of every Committee shall be one year.

5.5. Meeting of a Committee shall be convened by the Chairman of the Committee or on requisition by two members of the Committee.

5.6. The Business of a Committee shall be transacted in a meeting of the Committee:

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

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

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

The Islamabad legal Practitioners & Bar Council Rules,

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

5.9. Every Committee constituted under rule 4.1 and 4.2, shall present to the Bar Council before the end of 30 days of its term a report of its working for approval.

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

The Islamabad legal Practitioners & Bar Council Rules,

CHAPTER-VI **ENROLLMENT OF** **ADVOCATES (LOWER** **COURTS)**

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

6.2. The application shall be accompanied by :

(a) Educational testimonial from Matric to LLB duly attested/verified by Higher Education Commission, No application will be processed by Bar Council unless Documents are attested by the HEC.

(b) Satisfactory evidence of the applicant's date of birth;

(c) Satisfactory evidence of qualifications under Section 26;

(d) Two testimonials from advocates having not less than 10 years standing as to the character and conduct of the applicant;

(e) An affidavit stating fully, truly and accurately if any criminal proceedings or proceedings for professional misconduct were instituted against him anywhere and if so with what result;

(f) Receipt of payments prescribed in this regard;

(g) An undertaking that he would become a member of a Bar Association concerned within six months after his enrollment;

(h) List of 20 cases in which he has assisted his senior, duly signed by the senior giving the nature of each case;

The Islamabad legal Practitioners & Bar Council Rules,

- (i) An attested copy of passport size photograph;
- (l) an affidavit stating as to what the applicant was doing during the period of gap if there was a considerable gap in between his academic examinations;
- (j) A character and good conduct certificate from the employer if he had been in service anywhere;
- (k) A certificate of training from the senior in form 'B' **Explanation:** The date of birth recorded in the Matriculation Certificate shall be presumed to be correct unless determined otherwise by the Bar Council;
- (l) Proof of passing of written Examination of Bar Council and other requirements prescribed in this behalf.
- (m) Deposit receipt of the amount contributed under Rule 2.2 of the (IBC) Advocates Benevolent Fund Rules, 2017.
- (n) All fees/ amounts including Benevolent Funds would be charged 50% of the total amount where the applicant is real son/ Daughter/ Spouse of an advocate whose name appears in the roll of the Bar Council.

6.3. (i) Every apprentice, shall, before being admitted as an advocate, must have taken training regularly for a continuous period of six months as a trainee in the Chamber of an Advocate, who has been a pleader or an advocate for a period of not less than (10) years.

(ii). The following persons shall be exempted from training and examination provided in rule 6.3, supra, ---

- a. Applicants who have received, an LL.M degree from any university in Pakistan or a university recognized under section

The Islamabad legal Practitioners & Bar Council Rules,

26(1)(c)(iii) of the Act or a degree or diploma which is declared by the Pakistan Bar Council to be equivalent to that degree;

- b. Applicants who have for at least five years held a judicial office in Pakistan or who have for a like period held a post in the service of Pakistan, the duties whereof entail interpretation or drafting of laws;
- c. Applicants, who after having been called to the Bar in England have completed a full one year training with a senior counsel in England which training thereafter entitle them to appear independently in courts in England; and
- d. Applicants, who after having been enrolled as practicing lawyers at any place not within Pakistan, have to the satisfaction of the Enrollment Committee of the Bar Council concerned, practiced there for full one year.

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

Provided that a trainee may begin his training after appearing in examination of his final year/ semester examination.

Provided a hope/ provisional certificate is issued by his institute that he has appeared in final exam and is likely to pass the exam.

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

The Islamabad legal Practitioners & Bar Council Rules,

- (3) An Advocate with whom an apprentice received training in accordance with sub-rule (1) of Rule 6.3, shall give a certificate in form 'B' attached to these rules, and shall specify in the certificate or as a separate annexure thereof, at least 20 cases in which he had the assistance of the trainee, indicating title and nature of the case, and giving summary of each case.
- (4) An advocate, who gives a false certificate in this behalf shall be guilty of professional misconduct.
- (5) The enrollment as an advocate of an applicant/candidate whose intimation is received, issuance of enrollment certificate to him shall be subject to his completion of six months apprenticeship, qualifying, the written examination/ training and passing the Viva Voce Examination and fulfilling of the requirements here in before provided, failing which he shall not be eligible to get the enrollment.
- (6) At the time of submission of intimation form, in addition to the prescribed intimation fee, the applicant shall deposit a sum of Rs. 300/- as price of the booklet containing questionnaires and first written examination fee: Provided that the written examination fee for each subsequent attempt shall be Rs. 200/- to be deposited by an applicant/candidate.
- (7) The Questionnaire shall consist of the questions pertaining to the subjects enumerated in sub-rule (9).
- (8) The written examination shall consist of the Objective type/Multiple choices, the Subjective type and shall be held quarterly at the Bar Council or at any other place decided by the Bar Council for the said purpose and applicant shall have to obtain 50% marks to get through the written examination.
- (9) The Legal Education Committee in coordination with the Enrollment Committee shall be responsible for holding the written examination, preparation of question papers, appointing examiners for evaluating the answer-books and compiling the results. The Legal Education Committee shall however may Co-opt other

The Islamabad legal Practitioners & Bar Council Rules,

members of the Bar Council for the aforesaid purpose: Provided that the result of each written examination shall be declared within a period of fortnight of the examination and the result shall be placed on website of the Bar Council, Notice Board of Islamabad District Bar Association, and other mode of information;

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

(10) After passing the written examination, every applicant applying for admission as an advocate shall have to pass, after due verification of the validity of his training by the office, a Viva Voce Examination held by the Enrollment Committee concerned in its meeting, the above referred written examination and viva-voce shall be in the following subjects :-

- i. Code of Civil Procedure, 1908
- ii. Code of Criminal procedure, 1898
- iii. Limitation Act, 1908
- iv. Constitution of the Islamic Republic of Pakistan, 1973
- v. Legal Practitioners & Bar Councils Act, 1973 and the Rules framed there under;
- vi. Canons of professional Conduct and Etiquette of Advocates as framed by the Pakistan Bar Council, 1976.
- vii. Concept of court fees and Suits valuation Act; and
- viii. Qanun-e-Shahadat Order, 1984

(11). **Inspection:** There shall be two inspections by the Legal Education Committee of the Bar Council of Law Colleges, Institutions imparting legal Education, Universities, Law Departments whose students apply to the Bar Council for enrollment as an Advocate, in each academic year. The Committee will submit the inspection report to the Higher Education Commission, Pakistan Bar Council, the vice Chancellors/ Rector/ President of the University, along with its remarks of suggestion, if any.

The Islamabad legal Practitioners & Bar Council Rules,

6.4. The BC will establish an educational and training academy wherein apprentice /trainee lawyer shall have to attend two seminars each of full day, conducted by the Legal Education Committee with the interval of 2 months regarding legal ethics, practical working, behavior and conduct of the advocates.

A certificate of participation will be issued to the each participant and these two certificates will be attached along with the second intimation.

Until such academy is established, Bar Council may conduct these seminars at his own or with the collaboration of any other like academy.

Lecture would be delivered by the eminent lawyers, and retired or in service judges of the Superior Judiciary.

ENROLLMENT FOR HIGH COURT

6.5. All applications for admission as an Advocate of the High Court shall be accompanied by;

- (a) An affidavit in respect of duration of practice in the Courts subordinate to the High Court;
- (b) Two certificates from Advocates of the High Court for good conduct and character;
- (c) A receipt of the payment of a sum of Rs. 900 or any amount prescribed in this regard;

The Islamabad legal Practitioners & Bar Council Rules,

- (d) An application made by a person dismissed from service shall also be accompanied by a copy of the charge sheet, the statement of charges and reply there to, if any, by the applicant and the final order;
- (e) Attested copy of Bachelor degree in Law by HEC provided that if he submitted HEC attested Degree at the time of Enrollment for the Lower Court, He would submit same copy and not the fresh one.
- (f) A deposit slip of an amount determined under Rule 6.2(1) for enrolment under section 27(c); Read with Rule 108-i(2) of Pakistan Legal Practitioners & Bar Councils Rules 1976.

Provided that the enrollment as an advocate of the High Court shall be subject to the applicant's having qualified for the interview conducted by the Enrollment Committee of the Islamabad Bar Council.

- 6.6. Applications for admission under Section 27, clause (c), above referred shall be forwarded to the High Court and after approval there from shall be dealt with in accordance with the procedure here in provided for enrollment of Advocates.
- 6.7. The Secretary shall before forwarding the application to the Enrollment Committee ensure that the applicant is qualified and not disqualified in terms of Section 27.
- 6.8. The Enrollment Committee may, before it passes an order granting the application or returning it to the Bar Council, make such summary enquiry as it thinks fit.
- 6.9. The Enrollment Committee shall dispose of the application within six weeks of the receipts of the application by it.

The Islamabad legal Practitioners & Bar Council Rules,

- 6.10. Where the Enrollment Committee of Bar Council grants the application,
a
Certificate of Enrollment shall be issued to the applicant in the prescribed form.
- 6.11. Where the Enrollment Committee returns an application under Section 31 the same shall be considered and disposed of by the Bar Council within six weeks and its decision shall forthwith be communicated to the applicant.
- 6.12. The Enrollment Committee may refuse to enroll a person otherwise qualified, on the grounds of his removal from the Rolls of Advocates of Legal Practitioners anywhere, or the pendency of criminal proceedings or proceedings for professional misconduct against him anywhere or on any other sufficient and reasonable ground. An advocate who is enrolled in any other Bar Council may get enrollment with the Bar Council after submitting original NOC to the Bar Council issued from his former Bar Council and after fulfilling required formalities prescribed by the Bar Council.
- 6.13. The Secretary shall issue a License in form 'E' to every Advocate for lower court after receiving prescribed fee and a Certificate in form 'F' to every Advocate permitted to practice before the High Court.
- I. Every practicing advocate must possess identity card issued by the Islamabad Bar Council.
 - II. There shall be two types of identity Cards of different colors for advocates of the Lower Courts and the High Court.
 - III. Every Advocate of the High Court will be issued a permanent identity card by the Bar Council unless revoked by the Bar Council.

The Islamabad legal Practitioners & Bar Council Rules,

- IV. Every Advocate of the Lower Court will be issued identity card for two years showing therein the period of expiry of renewed license, OR shall be issued identity card as a miniature of his renewed license with photograph affixed there on.
- V. The identity card to be issued to the Advocate of the High Court shall bear the following particulars:-
1. Registration Number.
 2. Name.
 3. Father's/Husband's Name.
 4. Benevolent Fund Number.
 5. Date of Birth.
 6. Date of enrolment as an Advocate of the high Court.
 7. Ordinary place of business.
 8. Signature of the Advocate.
 9. Photograph.
 10. Signature of the issuing authority i.e. Secretary and vice Chairman.
- VI. The Identity Card to be issued to the Advocate of the Lower Court shall have the following particulars:-

The Islamabad legal Practitioners & Bar Council Rules,

1. Registration Number.
2. Ledger No. (L.C.)/ B. F number.
3. Name.
4. Father's/Husband's Name
5. Date of Birth.
6. Date of Enrollment.
7. Ordinary Place of business.
8. Signature of the Advocate.
9. Photograph
10. Valid up to 31st December of the next year

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

VIII. The registration number so allotted to a lawyer will be the number of the Benevolent Fund Scheme also.

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

- a. {Rs. 1000/-} for Lower Court.

The Islamabad legal Practitioners & Bar Council Rules,

b. {Rs. 1000/-} for High Court. Provided that no identity card shall be issued to any lawyer unless he has cleared the Benevolent Fund and annual fee due.

X. All Advocates shall quote/print their registration number, so allotted, on his letter-pads as well as on Vakalatnama.

XI. Every Lawyer, while exercising his right of vote in election of the Bar Council/Bar Association shall produce, {on demand} identity card issued by the Bar Council as provided in Rule 175 K(b) of the Rules framed by Pakistan Bar Council of 1976.

Provided that no renewal license and license to practice in the High Court shall be issued to any advocate if he had not by then, applied for the issuance of the Identity Card and obtained the same.

Provided further that the Election Board constituted under Regulation. 46 of the regulations of 2017 shall enter the registered No. of the eligible voter and shall obtain his signatures on the counterfoil of the eligible voters list.

6.14. An Advocate shall apply to the Bar Council that his license be suspended because he intends to discontinue his practice in order to carry on business or to join some other profession or vocation service and he shall also apply for termination of such suspension when he rejoins the profession.

6.15. The Enrollment Committee may suspend the license of an advocate where it is established after due notice to the Advocate concerned that the Advocate has entered

The Islamabad legal Practitioners & Bar Council Rules,

Govt. employment or any other employment, business, vocation or profession not connected with Law.

- 6.16. All disputes relating to seniority as an Advocate shall be determined by the Enrollment Committee. In case the contestants are not entered in the Roll in the correct order, amendment in the Roll will be made giving effect to the decision of the Enrollment Committee by pasting correction slips in the Roll.
- 6.17. All additions, alterations and corrections made in the Roll shall be communicated to the High Court within thirty days of the additions Etc.

CHAPTER-VII

DISCIPLINARY PROCEEDINGS

- 7.1. A complaint against an Advocate shall be filed with three copies and shall contain clearly the charge or charges against such Advocate and shall be accompanied by all documents, or copies of documents that are available to the complainant; and in case where the complaint is not by a Court or by a public servant acting in his official capacity, shall also be supported by an affidavit as to facts, alongwith a fee of Rs. 1000/-.
- 7.2. For the purpose of deciding whether the complaint against an advocate is to be summarily rejected, the complaint shall be placed before the Committee which may unless it rejects it summarily, requires the Advocate to reply the allegations and after enquiry may refer the matter to the appropriate Committee under Section 41.
- 7.3. Where a reference is made to a Committee or Tribunal under Section 41, all the relevant documents shall be forwarded along with the reference.

The Islamabad legal Practitioners & Bar Council Rules,

- 7.4. A Committee to whom a reference is made under Section 41 shall complete the proceedings before it within eight weeks of the receipt of the same and submit its report.
- 7.5. Before the Tribunal, the proceedings against an Advocate shall be conducted by the Advocate General, or by an Advocate appearing on his behalf. The complainant shall also be entitled to appear in person, or through counsel, but the Advocate-General shall have a prior right to conduct the proceedings against the Advocate, subject to any directions by the Tribunal.
- 7.6. On receipt of a reference under Section 41, the Chairman of the Tribunal shall fix a date for the hearing of the case not earlier than twenty one days and not later than sixty days from such receipt and a notice of the date fixed shall be served on the Advocate concerned as well as the Advocate-General along with copies of the record that has been forwarded to the Tribunal, so as to reach the Advocate as well as Advocate-General not less than fourteen days before the date fixed. Notice of the date shall be served on the complainant in case the complaint is not by a Court or by a public servant in his official capacity. Notice of the date should also be put up on the Notice Board of the Bar Council.
- 7.7. The Advocate concerned shall be entitled to file a reply to the allegations against him whether or not he has already filed a reply before the Bar Council. He shall deliver such reply along with three copies to the Secretary at least seven days before the date of hearing fixed by the Tribunal and the Secretary shall deliver the copies to the Advocate-General and the complainant at least three days before such date of hearing.
- 7.8. The Tribunal shall determine the matter before it on oral evidence and on documents in accordance with the provisions, of the Qanun-e-Shahadat Order 1984, and the Tribunal shall follow generally and to the extent practicable the procedure provided for the suits in the Code of Civil Procedure, 1908, but the Tribunal shall also have power to call for or permit affidavits and allow

The Islamabad legal Practitioners & Bar Council Rules,

documents to be proved by affidavits: Provided that the party affected by an affidavit shall have the right to cross-examine the deponent.

- 7.9. The Advocate concerned shall be a competent witness on his own behalf and shall be liable, if he appears as a witness, to be cross-examined, but he shall not be compelled to appear as witness.
- 7.10. The Secretary of the Bar Council shall be ex-officio Secretary of the Tribunal and shall be responsible for service of notice issued by the Tribunal and for Compliance with the rules in this Chapter.

CHAPTER-VIII **BAR ASSOCIATION**

- 8.1. Every association of Advocates ordinarily practicing in ICT shall apply to the Bar Council for the recognition of the Bar Associations at the District level and the High Court. The application shall be filed by the President or the Secretary of the Bar Association:

Provided that no application shall be entertained in respect of a place where there is already existing a recognized Bar Association:

Provided further except as aforesaid a body or association of advocates using the words "Association", "Bar", "Council", "Pakistan", or "Islamabad", Forum, Authority, Foundation, Society in its name shall be illegal. Any Advocate who is or claims to be a member or office bearer of such an association of the above said shall be guilty of professional misconduct.

- 8.2. The application shall be accompanied by a copy of the memorandum of the Bar Association along with a resolution of the Bar Association seeking recognition: Provided that no Bar Association shall be recognized unless it is functioning at a place where there is a regular civil, revenue or original, high Court.

The Islamabad legal Practitioners & Bar Council Rules,

8.3. The application shall be laid before the Bar Council which may after considering the same, require amendments to be made in the memorandum of the Bar Association, prior to further consideration of the application, or may refuse to recognize a Bar Association.

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

8.5. Where there is an existing recognized Bar Association on the date of coming into force of these rules no further application from such place for recognition shall be entertained, but this shall not prevent the recognition of a High Court Bar Association at ICT.

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

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

8.8. Any member of the Bar Association aggrieved by an act or omission of the Bar Association may within 30 days of such act or omission appeal to the Bar Council where such act or omission violates the memorandum of the Bar Association.

8.9. Every recognized Bar Association must furnish to the Bar Council by 5th November of every year a list of its members entitled to practice as Advocates and by 25th of January as Advocates of the High Court respectively along with the

The Islamabad legal Practitioners & Bar Council Rules,

dates of their enrollment. A list of office-bearers shall be furnished within a month of annual elections.

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

8.11. An Advocate may become member of more than one Bar Associations. But voter member of only one Bar Association and shall not change the right of his vote to any other Bar Association till the expiry of three years.

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

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

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

8.13. Where it is reported by a Bar Association that any Advocate has ceased to be its member, the name of such Advocate may, after notice to the Advocate, be struck off from the Roll unless he establishes that he continues to be a member of any other recognized Bar Association.

8.14. It will be sufficient compliance with the requirement of Rule 8.13 if within six months of being enrolled as an Advocate a person applies for being

The Islamabad legal Practitioners & Bar Council Rules,

admitted as a member of such Bar Association and his application has not been dismissed.

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

8.16. Every Advocate whose application for admission as a member of a Bar Association has been dismissed by the Bar Association shall have a right appeal to the Bar Council. The appeal shall be filed within 60 days of the communication to him of the order appealed against. The appellate authority may, for sufficient cause, condone the delay in the filing of the appeal, if any.

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

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

CHAPTER-IX **FIRMS OF LAWYERS**

The Islamabad legal Practitioners & Bar Council Rules,

- 9.1. Advocate desirous of forming a firm of lawyers or to associate with a firm of lawyers, for the practice of law in the jurisdiction of the Bar Council shall apply to the Bar Council for the registration of the firm.
- 9.2. The application for registration shall be accompanied by a deposit slip of Rs. 15000/- as Registration fee, a copy of the partnership deed and the following information:
- (a) Name of the firm
 - (b) Place of office or office of the firm
 - (c) The names of the partners with their dates of birth, academic qualifications and standing at the Bar
 - (d) The shares of the partners;
 - (e) The contribution to be made by each partner.
- 9.3. The application shall be placed before the Bar Council which may call for such further information as it may deem necessary.
- 9.4. Advocates already practicing jointly for the purpose of practicing law, may within three months of the promulgation of these rules, apply for the registration of their firms and the provisions herein contained shall apply Mutatis Mutandis to such application.
- 9.5. All applications for registration of the firm shall be taken up for consideration within two months of their presentation and shall be disposed of within four months and in case of a firm existing on the date of promulgation of these Rules such firm may continue its business till the disposal of the application.
- 9.6. The Bar Council may at any time call for such information as it may consider necessary from a registered firm and may also, for sufficient cause to be recorded in

The Islamabad legal Practitioners & Bar Council Rules,

writing, after due notice to the firm, impose any condition on the firm or suspend the registration of any firm. On suspension of registration, the Advocates constituting such firm shall cease to practice as partners in the area within the jurisdiction of the Bar Council from such date as may be specified in the order.

- 9.7. Any firm of lawyers not registered under the Act and the Rules framed there under in any other Province of Pakistan may, if desirous of commencing or continuing the practice of Law within the jurisdiction of the Bar Council, may apply for registration to the Bar Council and the Provisions herein contained shall apply mutatis mutandis to such application.

CHAPTER-X

PERKS, PRIVILEGES AND ALLOWENCES OF THE MEMBERS

- 10.1. Members shall be entitled to return Air-ticket of the economy class for discharging of their official duties.
- 10.2. Where the Air Service is not available, the Member shall be paid T.A on the basis of average.
- 10.3. In case of out of Islamabad in regard to his official duties, a member shall be entitled to stay in a hotel which is admissible to Federal Minister of the Government of the Pakistan.

CHAPTER-XI

FINANCES

- XI.1. Subject to the control and direction of the Bar Council the Executive Committee, shall be responsible for realizing all the moneys due to the Bar Council and for the management, administration and utilization of the funds of the Council.
- XI.2. The Executive Committee shall prepare and submit for approval of the Bar Council by 1st of June every year a budget statement of expected receipts and expenditure for the coming financial year.

The Islamabad legal Practitioners & Bar Council Rules,

- XI.3. The Secretary shall be disbursing authority, but no payment shall be made out of the funds of the Bar Council; except under order of the Vice Chairman:
Provided that no payment shall be ordered unless it is authorized under Rules:
Provided further that notwithstanding the above, the Vice Chairman or Chairman Executive Committee may sanction expenditure up to Rs. 3, 00,000/- p.a.
- XI.4. The Moneys credited to the funds of the Bar Council shall be kept in such bank or banks and the account shall be operated by Vice Chairman and Secretary of the Bar Council jointly.
- XI.5. The Bar Council may invest any portion of the funds of the Bar Council in such manner as it may think proper.
- XI.6. The Bar Council may constitute a separate fund for any special purpose, which shall be administered and regulated in such manner as the Bar Council may specify.
- XI.7. The moneys from time to time credited to the fund of the Bar Council shall be applied in the following order:-
- (a) For the payment to the Pakistan Bar Council of thirty three percent of the total sum received by it during that financial year as enrollment fee and fees for permission to practice before the High Court;
 - (b) In the payment of salaries and allowances to the staff of Bar Council;
 - (c) In the fulfillment of any obligation and in discharge of any duty imposed on the Bar Council under the Act and the Rules;
 - (d) In meeting the expenditure declared by the Bar Council to be an appropriate charge on the fund.
- XI.8. A cash book shall be maintained by the Bar Council as in Form 'E'.

The Islamabad legal Practitioners & Bar Council Rules,

- XI.9. The receipt of all cash and cheques received for credit to the fund of the Bar Council shall be entered on the receipt side of the Cash book as soon as the receipt is issued.
- XI.10. The disbursement of all moneys from the fund of the Bar Council shall be entered on the expenditure side of the Cash book as soon as the disbursement is made.
- XI.11. At the end of every fortnight, the totals of the amounts received and spent during that period shall be worked out accordingly.
- XI.12. The amount remitted to the Bank each fortnight shall be shown in the appropriate column of the Cash book indicating the number and date of the deposit voucher with which the amount is thus remitted.
- XI.13. All entries in the Cash Book shall be checked by the Secretary item by item with reference to the receipts and vouchers and attested in token of check. The Cash Book shall be signed by the Secretary fortnightly.
- XI.14. At the end of each month the balance shall be struck and the closing balance verified with reference to the Bank statement/record.
- XI.15. The totals of various columns in the Cash Book shall be carried forward into next month's account.
- XI.16. At the end of each quarter a Quarterly Statement of Account giving full details on income and expenditure shall be compiled and laid before the Bar Council.
- XI.17. At the end of each financial year, an Annual Account in Form 'F' shall be compiled.

The Islamabad legal Practitioners & Bar Council Rules,

- XI.18. The Annual Account so compiled shall be audited by a Chartered Accountant within the meaning of the Chartered Accountants Ordinance, 1961, appointed by the Bar Council.
- XI.19. The auditor appointed under rule 10.18 shall examine the Annual Accounts together with the receipt of vouchers relating thereto, and shall at all reasonable times have access to the books, accounts and other documents of the Bar Council, and may in relation to such accounts, examine any officer or employee of the Bar Council.
- XI.20. The auditor shall report to the Bar Council upon the Annual Accounts and in his report he shall state whether in his opinion the Annual Account is a full and fair account containing all necessary particulars and properly drawn up so as to exhibit a true and correct view of the finances of the Bar Council.
- XI.21. The Vice Chairman shall furnish to each Member at least fifteen days before the date of the meeting of the Council called in the beginning of the financial year a copy of the audited Annual Account.

CHAPTER-XII

MISCELLANEOUS

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

The Islamabad legal Practitioners & Bar Council Rules,

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

12.3.A member of a Committee or a Chairman of a Committee constituted under Section 10 shall cease to be the Member OR Chairman of the said Committee in the eventuality of vote of no-confidence passed against him by majority of votes, by show of hands, by the Members in a meeting of the Bar Council.

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

12.5.All parties to proceedings shall be entitled on payment of the prescribed fee to certified copies of all proceedings before the Bar Council or the Tribunal, or any Committee of the Bar Council. Any other person interested may subject to the order of the Chairman, Vice Chairman or of the Bar Council be supplied with a certified copy of any such proceedings as is mentioned above. The same fee shall be charged for the certified copies as are charged by the High Court.

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

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

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

The Islamabad legal Practitioners & Bar Council Rules,

- 12.9. An Advocate is entitled to a duplicate copy of his Enrollment Certificate on filing an application to the Secretary of the Bar Council and upon payment of a fee of Rs. 1000/-. Provided that fee of Rs. 3000/- shall be levied for issuance of a certificate under Rule 107(1)(c)(ii) of the Pakistan Legal Practitioners and Bar Councils Rules, 1976.
- 12.10. All moneys required to be paid under these Rules shall be paid into the account of the Bar Council and the receipt for the money paid shall be attached to the proceedings in respect of which the payment is made.
- 12.11. The Legal Practitioners and Bar Council Rules, 1969, Punjab Legal Practitioners and Bar Council Rules, 1974 in so far as they relate to the functions of the Islamabad Bar Council are here by repealed, however any liabilities/ duties on the Punjab Bar Council in respect of Islamabad Bar Council shall continue until and unless satisfied.
- 12.12. All acts, actions, things, deeds, decisions done /performed by the Bar Council and the committees before coming into force of these rules are hereby protected, validated and deem to be done lawfully.

CHAPTER-XIII

ELECTIONS OF THE BAR ASSOCIATION

Elections to the Islamabad District Bar Association and Islamabad High Court Bar Association shall be held on the dates as prescribed in rule 175-G(a) of the Pakistan Legal Practitioners and Bar Council Rules 1976.

- 13.1. Election campaign would start from the first of November of the preceding year for the coming elections and before that no candidate is allowed to start election campaign or canvassing by means of personal request, gatherings, request for vote

The Islamabad legal Practitioners & Bar Council Rules,

through SMS, play card, visiting card or any other mode of request for vote for himself or anybody else.

- 13.2. During election campaign any kind of meal, lunch, dinner, brunch, breakfast, supper is not allowed however a tea party wherein tea/ cold drink/ juice alongwith cookies, pakora samosas, could be served.
- 13.3. No candidate or supporter is allowed to deposit annual subscription of any advocate in the Bar office.
- 13.4. Violation of any clause of above said rules could entail penalty of disqualification of respective candidate however before imposition of such penalty proper inquiry would be conducted by the concerned authority i.e. election board or the Executive Committee of the Bar council as the case may be.
- 13.5. Council is authorized to take suo moto notice on any matter or upon application of any member of the Bar/candidate in this regard.
- 13.6. No candidate is authorized to conduct his election campaign by means of posters, banners, penaflex, stickers, however one can request for vote through a card which can not exceed size of 3 X 4 inch.

CHAPTER -XIV

General provisions

The Islamabad legal Practitioners & Bar Council Rules,

14.1. No advocate is authorized to advertise, market himself for promotion, conduct of his practice or advertise by any means including verbal request to the people to engage him as an advocate nor he would offer his services at his own.

14.2. No advocate is authorize to conduct, host any type of meal/ party for any judge/ justice in his personal capacity but only respective Bar Association or the Council is authorized to conduct/ host such type of functions/meals/parties etc etc.

14.3. Any function conducted by the Bar Association would be chaired by the respective President and Vice Chairman/ chairman executive committee would be requested to be seated on the stage and any speaker before start of speech would address first of all to the office bearer of the Bar Council who is on the stage, then the respective President and thereafter other guests but when there is a Chief justice or Judge of the High Court or the Supreme Court then first of all he will be addressed.

14.4. Every function/ party/ program/meeting by the Bar Association would be first intimated to the Bar council.

14.5. That any Bar Association will not arrange any meeting of executive authority with the judiciary and idea of separation of judiciary from the executive shall be fully secured.

The Islamabad legal Practitioners & Bar Council Rules,

14.6. That Bar council may take up any matter suo moto or on the application of any concerned from the Bar Association to its own control.

14.7. It shall be obligatory to follow and obey the directions given by the Bar Council to the Bar Associations, their office bearer or their members individually for the purposes of these rules and that non compliance or disobedience will amount to misconduct.

14.8. That violation of any rule by any member would amount misconduct and proceedings of misconduct in disciplinary committee of the council shall be conducted.

14.9. That on every power of attorney submitted by any advocate in District courts and high court, concerned advocate has to mention his Registration Number issued by the Bar council. Said Registration Number would also be mentioned on the top of letter had of the advocate.

14.10. No advocate would appear before any judge with whom he has blood relation, remained his senior, his chamber fellow.

14.11. That Executive Committee of the Bar Association would include President of the preceding year as member for new year due to the reason that he can brief new cabinet on each issue in which he remained involved as a president. It is mentioned that he would have no right of Vote but just for the purposes of facilitation of new cabinet.

14.12. Any Bar association is not authorized to issue any call for strike of advocates in the District

The Islamabad legal Practitioners & Bar Council Rules,

Courts and the High Court without prior approval of the vice Chairman /Chairman Executive Committee of the Bar Council and any such call in its violation would be illegal and the person/ official giving such call would be guilty of Misconduct. It shall be mentioned in the Notice of strike that permission has been obtained from the Bar Council in this regard.

FORM 'A'

APPLICATION FOR ENROLLMENT

PASSPORT SIZE PHOTOGRAPH

Name of the Applicant.

Date of Birth.

Father's/Husband's Name.

Nationality of Applicant.

Qualifications for enrollment with dates on which acquired.

Whether the application is a person exempt from training and Examination.

Whether the Applicant proposes to practice generally within the jurisdiction of the Bar Council.

The Islamabad legal Practitioners & Bar Council Rules,

Whether the Applicant is engaged in any other business, profession or vocation, if so, the nature thereof and the place at which it is carried on.

Whether the Applicant has been declared insolvent.

Whether the Applicant has been dismissed from the service of Government or of public statutory corporation or private service, if so, date and reason thereof.

Whether the Applicant has been convicted of any offence, if so, date and particulars thereof.

Whether the Applicant is enrolled as an Advocate on the roll of any other Bar Council.

Whether an application for enrollment has previously been rejected by a Bar Council.

Signature_____

Home Address_____

FORM 'B'

CERTIFICATE OF TRAINING

I, Mr. Miss. Mrs. _____ Advocate, do hereby certify that Mr. /Mrs. _____ son/daughter/wife of _____ has got training with me for a period of six months (from _____ to _____) in accordance with Rule 6.2 of the Islamabad Legal Practitioners and Bar Council Rules, 2017.

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

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

The Islamabad legal Practitioners & Bar Council Rules,

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

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

Date: _____

Advocate

Your Cell No. _____

The Advocate shall specify in the form below at least twenty cases in which the Advocate had the assistance of the pupil.

ADVOCATE
LIST OF CASES

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

FORM 'E' CASH

BOOK PAGE No. _

BANK CASH BOOK

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

GENERAL CASH BOOK

CASH ACCOUNT OF _____ FOR THE MONTH OF _____ 20_____

1	2	3	4	5
Month/Date	Receipt	Folio	Amount	Total

The Islamabad legal Practitioners & Bar Council Rules,

6	7	8	9	10
Month/Date	payment	Folio	Amount	Total

FORM 'F'

ANNUAL ACCOUNT FOR THE YEAR) _____

	1	2	3	4
	Description	income	description	Expenditure
1	Fees		1.	Establishment
(a)	Enrollment Fees		2.	Auditor
(b)	Fee for permission to practice in High Court		3.	Contingencies
(c)	Renewal Fees		4.	Miscellaneous
(d)	Miscellaneous Fees			
2	Grants			
3	Donations			
4	Subscriptions			

Total income opening Balance _____

Total Expenditure Closing Balance _____

Signature of the Secretary

Signature of the Chairman

The Islamabad legal Practitioners & Bar Council Rules,