

AZAD JAMMU AND KASHMIR BAR COUNCIL (BAR ASSOCIATIONS RECOGNITION) RULES, 2001

(Gazetted of Azad Jammu & Kashmir, Extra ordinary, 7th April 2001)

No. Rule F-4/2001.

Whereas it is expedient 'to provide for recognition, of the Bar Associations functioning in Azad Jammu and Kashmir by the Azad Jammu and Kashmir Bar Council so as to ensure efficient performance of the Bar Associations and whereas the circumstance renders it necessary to formulate rules regulating the procedure of recognition of a Bar Association by the Bar Council.

Therefore, in exercise of powers conferred by section 53 of the Azad Jammu & Kashmir Legal Practitioners and Bar Council Act (XXX of 1995) and all other enabling provision in this behalf the Azad Jammu and Kashmir Bar Council hereby makes and notifies the following rules:-

1. (a) These Rules may be called the Azad Jammu and Kashmir Bar Council (Bar Association Recognition) Rules, 2001.
(b) These rules come into force from 15th October, 2002
2. All existing Bar Associations functioning in Azad Jammu and Kashmir namely, Supreme Court Bar Association Azad Jammu & Kashmir Central Bar Association Muzaffarabad, District Bar Associations Bagh, Poonch/Rawalakot, Sudhnooti, Kotli,. Mirpur, Bhimber and Sub-Djvisional Bar Association Authmukam, Hattian Balia, Dhirkot, Haveli (Kahuta) Abbaspur, Hajira, Sensa, Nakyal, Dadyal, Samahni shall apply to the Bar Council for recognition and registration as a Bar Association with in a period of 60 days from the date of coming into force of these rules.
3. The applications for recognition and registration of a Bar Association shall-be accompanied by the following documents:-
 - 1 Copy of the Constitution, rules and bye-laws adapted by the Association prior to coming into force of these rules.

Provided the Constitution, rules or bye-laws adapted shall conform to the Azad Jammu & Kashmir Bar Council (Memorandum of Associations) Rules, 2001 and any provisions or such Constitution, rule or bye-laws of the Bar Association found inconsistent to the provision of the Rules framed by the Bar Council shall be void
 - 2 Copy of the resolution of the Bar Association seeking recognition and registration of the Bar Association.

- 3 List of members of the Bar Association giving full particulars of Name, Fathers Name, Sur-Name, Address, and Date of enrollment and whether enrolled as advocate for subordinate Court, High Court and Supreme Court
- 4 Original signed attendance sheet of the members who attended the meeting for adaptation of new Constitution, rules or bye-laws.

Provided that in case a Bar Association had already adapted a Constitution bye-laws the attendance sheet shall not be required.

4. (1) Receipt of payment/Bank Demand Draft of registration fee of Rs. 1000/ Every application shall be laid before the Executive Committee of the Bar Council which may either accept, reject or require amendments to be carried out in the Constitution, rules and bye-laws of the Association up to March, 2002. Any other Bar Association constituted after coming into force of these rules shall apply for registration/ recognition within the period of 60 days.

(2) In case the Bar Association fails to make amendments with in the prescribed period the Secretary Bar Council with in the time specified submit the case before the Executive Committee and the same shall rejected unless the Executive Committee for sufficient reasons extended the time

(3) In case the application is rejected under Sub-Rule (1) the Association may prefer and appeal to the Bar Council with in 30 days.

(4) Where application for recognition are made by more than one Bar Association from the same district, sub-division the Executive Committee shall dispose of such applications by one order. The aggrieved Association may prefer an appeal to the Bar Council with in 30 days.

(5) The Bar Council may pass such interim order upon presentation of appeal, as it deems fit during the Pendency of appeal.

5. In case two or more Bar Association from the same place make applications, the Executive Committee of the Bar Council may recognize that Bar Association which has as its members majority of Advocates practicing in the area which the Association seeks to represent:

Provided that where a Bar Association duly recognized and Register by the Bar Council exists at a place, no application for recognition shall be entertained.

6 No Bar Association shall perform any function after 1st January 2003. In case of non-compliance of the provisions of these Rules, a penalty of Rs 1000/- for each day is to be imposed by the Executive

Committee of the Bar Council. The Bar Council shall also take disciplinary proceeding against the office bearers of defaulting Bar Association accordance with the provisions of the Act and rules framed there under in case the Bar Association elected its other panel of office bearers, all the members of such Bar Association shall be proceeded against by the Bar Council for the misconduct under the Disciplinary Rules of the Bar Council-

By order of the Bar Council

(Sd)

Shaukat Hussain Awan
Secretary Par Council
