

ACT No. IX OF 1884.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL,
(Received the assent of the Governor General on the 16th May,
1884.)

An Act to amend the Legal Practitioners' Act, 1879, and the Indian Stamp Act, 1879.

WHEREAS it is expedient to amend the Legal Practitioners' Act, 1879, in manner in this Act appearing; XVIII of 1879.

and whereas it is also expedient to amend the Indian Stamp Act, 1879, in so far as it relates to the duty chargeable on the enrolment of legal practitioners; I of 1879.

It is hereby enacted as follows:—

Short title and commencement.

1. (1) This Act may be called the Legal Practitioners' Act, 1884; and

(2) It shall come into force at once.

Amendment of section 4 of Act XVIII of 1879.

2. In section 4 of the Legal Practitioners' Act, 1879, for the words "as an advocate on the roll of the Chief Court of the Panjáb" the words "under section 41 of this Act" shall be substituted. XVIII of 1879.

Addition of a proviso to section 13 of same Act.

3. To section 13 of the same Act the following proviso shall be added:—

"Provided that where the party is—

(a) a pardánashín woman, or

(b) unable for any sufficient cause to instruct the pleader in person,

nothing in this section shall make a pleader liable to suspension or dismissal merely by reason that he has taken instructions from a relative or friend authorised by the party to give such instructions and not receiving any remuneration in respect thereof."

Amendment of section 14 of same Act.

4. In section 14 of the same Act, before the words "any District Magistrate" the words "any Judge of a Court of Small Causes of a Presidency-town" shall be inserted.

5. In

5. In section 25 of the same Act, after the word "annexed" the words "and of such description as the Local Government may from time to time prescribe" shall be inserted.

Amendment of section 25 of same Act.

6. To the first clause of section 27 of the same Act the following shall be added, namely:—"and in respect of the fees of his adversary's revenue-agent appearing, pleading or acting under section 10."

Amendment of section 27 of same Act.

7. In section 38 of the same Act, for the words "by the Chief Court of the Panjáb" the words "under section 41 of this Act" shall be substituted.

Amendment of section 38 of same Act.

8. For section 41 of the same Act the following section shall be substituted, namely:—

New section substituted for section 41 of same Act.

"41. (1) A High Court not established by Royal Charter may, from time to time, with the previous sanction of the Local Government, make rules as to the qualifications and admission of proper persons to be advocates of the Court, and, subject to such rules, may enrol such and so many advocates as it thinks fit.

Power for certain High Courts to enrol advocates.

"(2) Every advocate so enrolled shall be entitled to appear for the suitors of the Court, and to plead or to act, or to plead and act, for those suitors, according as the Court may by its rules determine, and subject to those rules.

"(3) The High Court may dismiss any advocate so enrolled or suspend him from practice.

"(4) Provided that an advocate shall not be dismissed or suspended under this section unless he has been allowed an opportunity of defending himself before the High Court which enrolled him, and, except in the case of the Chief Court of the Panjáb, unless the order of the High Court dismissing or suspending him has been confirmed by the Local Government."

9. To the same Act the following section shall be added, namely:—

New section added to same Act.

"42. Act I of 1846 (*for amending the law regarding the appointment and remuneration of pleaders in the Courts of the East India Company*) and Act XX

Repeal of Acts I of 1846 and XX of 1853.

of

of 1853 (*to amend the law relating to pleaders in the Courts of the East India Company*) are repealed."

Amendment
of Schedules
I & II of Act
I of 1879.
(Duty on
enrolment of
advocates.)

10. (1) In Article 27 of Schedule I of the Indian Stamp Act, 1879, after the words "in exercise of I of 1879. powers conferred on such Court by letters patent," the words "or by the Legal Practitioners' Act, 1884," shall be inserted; and

(2) In clause (a) of Article 11 of Schedule II of the same Act, the words "established by Royal Charter" shall be repealed.