

# ACT No. XV OF 1926.

[PASSED BY THE INDIAN LEGISLATURE.]

(Received the assent of the Governor General on the 25th  
March, 1926.)

## An Act further to amend the Legal Practitioners Act, 1879.

**W**HEREAS it is expedient further to amend the Legal Practitioners Act, 1879, for the purposes hereinafter appearing; It is hereby enacted as follows:—

XVIII of 1879.

1. This Act may be called the Legal Practitioners (Amendment) Act, 1926. Short title.

XVIII of 1879.

2. For the definition of "tout" in section 3 of the Legal Practitioners Act, 1879 (hereinafter referred to as the said Act), the following definition shall be substituted, namely:—

Amendment of section 3, Act XVIII of 1879.

" 'tout' means a person—

(a) who procures, in consideration of any remuneration moving from any legal practitioner, the employment of the legal practitioner in any legal business; or who proposes to any legal practitioner or to any person interested in any legal business to procure, in consideration of any remuneration moving from either of them, the employment of the legal practitioner in such business; or

(b) who for the purposes of such procurement frequents the precincts of Civil or Criminal Courts or of revenue-offices, or railway stations, landing stages, lodging places or other places of public resort."

3. In section 36 of the said Act,—

Amendment of section 36, Act XVIII of 1879.

(a) in sub-section (1) after the word "satisfaction" the words "or to the satisfaction of any subordinate Court as provided in sub-section (2A)" shall be inserted;

(b) to

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*Legal Practitioners (Amendment).* [ACT XV OF 1926.]

(b) to sub-section (1) the following *Explanation* shall be added, namely:—

“*Explanation.*—The passing of a resolution, declaring any person to be or not to be a tout, by a majority of the members present at a meeting, specially convened for the purpose, of an association of persons entitled to practise as legal practitioners in any Court or revenue-office, shall be evidence of the general repute of such person for the purposes of this sub-section.”;

(c) after sub-section (2) the following sub-section shall be inserted, namely:—

“(2A) Any authority empowered under sub-section (1) to frame and publish a list of touts may send to any Court subordinate to such authority the names of any persons alleged or suspected to be touts, and order that Court to hold an inquiry in regard to such persons; and the subordinate Court shall thereupon hold an inquiry into the conduct of such persons and, after giving each such person an opportunity of showing cause as provided in sub-section (2), shall report to the authority which has ordered the inquiry the name of each such person who has been proved to the satisfaction of the subordinate Court to be a tout; and that authority may include the name of any such person in the list of touts framed and published by that authority:

Provided that such authority shall hear any such person who, before his name has been so included, appears before it and desires to be heard”;

(d) after sub-section (5) the following sub-section shall be inserted, namely:—

“(6) Any person who acts as a tout whilst his name is included in any such list shall be punishable with imprisonment which may extend to three months, or with fine which may extend to five hundred rupees, or with both.”