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Advocate Act, 1961

Section 26 - Disposal of Application for Admission as an Advocate

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(1) A State Bar Council shall referevery application for admission as an advocate to its enrolmentcommittee, and subject to the provisions of sub-sections (2)and (3) , [1] [and to anydirection that may be given in writing by the State Bar Council inthis behalf] such committee shall dispose of the application in theprescribed manner**:**

[2] [Providedthat the Bar Council of India may, if satisfied, either on areference made to it in this behalf or otherwise, that any person hasgot his name entered on the roll of advocates by misrepresentation asto an essential fact or by fraud or undue influence, remove the nameof such person from the roll of advocates after giving him anopportunity of being heard.]

(2) Where the enrolment committee ofa State Bar Council proposes to refuse any such application, it shallrefer the application for opinion to the Bar Council of India andevery such reference shall be accompanied by a statement of thegrounds in support of the refusal of the application**.**

(3) The enrolment committee of aState Bar Council shall dispose of any application referred to theBar Council of India under sub-section (2) in conformity withthe opinion of the Bar Council of India**.**

[3] [(4)Where the enrolment committee of a State Bar Council has refused anyapplication for admission as an advocate on its roll, the State BarCouncil shall as soon as may be, send intimation to all other StateBar Councils about such refusal stating the name, address andqualification of the person whose application was refused and thegrounds for the refusal.]

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1. Inserted by Act 21 of 1964, section 14.

2. Proviso added by Act 21 of 1964, section 14.

3. Insertedby Act 21 of 1964, section 14.