

Advocate Act, 1961

Chapter IV - Right to Practise

Subject to the provisions of this Act and any rules made there-under, there shall, as from the appointed day, be only one class of persons entitled to practise the profession of law, namely, advocates.

Section 30 - Right of advocates to practice

Subject to the provisions of this Act, every advocate whose name is entered in the 1 [State roll] shall be entitled as of right to practise throughout the territories to which this Act extends,---

- (i) in all courts including the Supreme Court;
- (ii) before any tribunal or person legally authorised to take evidence; and
- (iii) before any other authority or person before whom such advocate is by or under any law for the time being in force entitled to practice.

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1. Substituted by Act 60 of 1973, section 22, for the words "common roll".
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Section 31 - Special provision for attorneys

[Omitted by the Advocates (Amendment) Act 1976 (107 of 1976), section 7].

Section 32 - Power of court to permit appearances in particular cases

Notwithstanding anything contained in this Chapter, any Court, authority, or person may permit any person, not enrolled as an advocate under this Act, to appear before it or him in any particular case.

Section 33 - Advocates alone entitled to practise

Except as otherwise provided in this Act or in any other law for the time being in force, no person shall, on or after the appointed day, be entitled to practise in any court or before any authority or person unless he is enrolled as an advocate under this Act.

Section 34 - Power of High Courts to make rules

- (1) The High Court may make rules laying down the conditions subject to which an advocate shall be permitted to practise in the High Court and the courts subordinate thereto.

[2](#) [(1A) The High Court shall makes rules for fixing and regulating by taxation or otherwise the fees payable as costs by any party in respect of the fees of his adversary's advocate upon all proceedings in the High Court or in any Court subordinate thereto].

[3](#) [(2) Without prejudice to the provisions contained in sub-section (1), the High Court at Calcutta may make rules providing for the holding of the Intermediate and the Final examination for articled clerks to be passed by the persons referred to in section 58AG for the purpose of being admitted as advocates on the State roll and any other matter connected therewith.]

f2"> Inserted by Act 60 of 1973, section 23.

f3"> Inserted by Act 38 of 1977, section 6.

f4"> Sub-section (3) omitted by Act 107 of 1976, section 8.