

GOVERNMENT OF WEST BENGAL
LAW DEPARTMENT
Legislative

West Bengal Act XIII of 1991
THE WEST BENGAL ADVOCATES WELFARE
FUND ACT, 1991.

[Passed by the West Bengal Legislature.]

[Assent of the Governor was first published in the *Calcutta Gazette, Extraordinary*, of the 17th December, 1991.]

[17th December, 1991.]

An Act to provide for the constitution of a Fund and utilisation thereof for promotion of welfare of the advocates practising in West Bengal and for matters connected therewith or incidental thereto.

WHEREAS it is expedient to provide for the constitution of a Fund and utilisation thereof for promotion of welfare of the advocates practising in West Bengal and for matters connected therewith or incidental thereto;

It is hereby enacted in the Forty-second Year of the Republic of India by the Legislature of West Bengal, as follows:—

1. (1) This Act may be called the West Bengal Advocates Welfare Fund Act, 1991.

(2) It extends to the whole of West Bengal.

(3) It shall come into force on such date as the State Government may, by notification, appoint.

Short title,
extent and
commence-
ment.

2. In this Act, unless the context otherwise requires,—

(a) “advocate” means an advocate whose name is entered in the State roll and who is a member of a Bar Association, but does not include an advocate to whom the provisions of this Act do not apply under section 22;

(b) “Bar Association” means an association mainly of advocates practising in any court, or before any tribunal or person legally authorised to take evidence, or before any other authority or person before whom such advocate is by or under any law for the time being in force entitled to practise, in West Bengal, and recognised as such by the Bar Council under section 16;

(c) “Bar Council” means the Bar Council of West Bengal constituted under section 3 of the Advocates Act, 1961;

Definitions.

(Section 3.)

- (d) "cessation of practice" means the cessation of practice by an advocate of the profession of law upon death, or retirement, or suspension from practice, or removal of name from the State roll under section 35 of the Advocates Act, 1961; 25 of 1961.
- (e) "Fund" means the West Bengal Advocates Welfare Fund constituted under section 3;
- (f) "member of the Fund" means an advocate admitted to the benefits of the Fund, and continuing as such member under this Act;
- (g) "notification" means a notification published in the *Official Gazette*;
- (h) "prescribed" means prescribed by rules made under this Act;
- (i) "regulations" means the regulations made under this Act;
- (j) "retirement" means removal of name of a member of the Fund from the State roll by the Bar Council upon a request from such member under section 26A of the Advocates Act, 1961 or voluntary withdrawal by a member of the Fund from practice of the profession of law or completion of thirty years by an advocate as a member of the Fund, whichever is earlier;
- (k) "State roll" means a roll of advocates prepared and maintained by the Bar Council under section 17 of the Advocates Act, 1961;
- (l) "suspension from practice" means suspension from practice under section 35 of the Advocates Act, 1961;
- (m) "Trust Committee" means the West Bengal Advocates Welfare Fund Trust Committee constituted under section 4.

Constitu-
tion of
Fund.

3. (1) The State Government shall constitute a Fund to be called the West Bengal Advocates Welfare Fund.

(2) There shall be credited to the Fund—

(a) an initial grant of—

(i) rupees thirty lakhs, or such higher sum as the State Government may determine, by the State Government, and

(ii) rupees thirteen lakhs, or such higher sum as the Bar Council may determine, by the Bar Council,

within such period after the commencement of this Act as the State Government may fix in consultation with the Bar Council;

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(Section 4.)

- (b) any contribution or voluntary donation made by the Bar Council of India constituted under section 4 of the Advocates Act, 1961 or by any Bar Association or by the Central Government or the State Government or by any local authority or any company, corporation or association of persons or any institution or any advocate or other individual;
- (c) all sums borrowed under section 12;
- (d) all sums received from the Life Insurance Corporation of India established under section 3 of the Life Insurance Corporation Act, 1956,—
 - (i) on the death of any member of the Fund, or
 - (ii) on account of any bonus declared by that Corporation in respect of any member of the Fund,under any policy issued by that Corporation under any Group Insurance Scheme;
- (e) all fees for application for membership of the Fund under section 18 and all sums on account of annual subscription to the Fund and all interest on the arrears of annual subscription to the Fund under section 19;
- (f) any interest or dividend or other sum on any investment made out of any part of the Fund.

31 of 1956.

(3) The Bar Council shall pay to the Fund annually such sum, not exceeding twenty per cent of the enrolment fee referred to in clause (e) of sub-section (2) of section 28 of the Advocates Act, 1961, as it may determine from time to time:

25 of 1961.

Provided that the sum as aforesaid shall be calculated after deducting the sum payable by it to the Bar Council of India under section 46 of the Advocates Act, 1961.

(4) The State Government shall pay to the Fund annually such sum as it may consider necessary for carrying out the purposes of this Act:

Provided that such sum shall not be less than three times of the sum payable by the Bar Council under sub-section (3):

Provided further that no such sum shall be paid by the State Government except by appropriation out of the Consolidated Fund of the State in accordance with law.

4. (1) The State Government shall, by notification, constitute, with effect from such date as may be specified therein, a Trust Committee to be called the West Bengal Advocates Welfare Fund Trust Committee.

Establishment of Trust Committee.

(2) The Trust Committee shall consist of the following members:—

- (a) the Minister-in-charge, Judicial Department, Government of West Bengal, who shall be the Chairman;

(Section 5.)

- (b) the Advocate-General for the State of West Bengal, who shall be the Working Chairman;
- (c) the Chairman of the Bar Council, who shall be the Vice-Chairman;
- (d) the Secretary to the Government of West Bengal, Judicial Department, *ex officio*;
- (e) the Secretary to the Government of West Bengal, Finance Department, *ex officio*;
- (f) the Chairman, Life Insurance Corporation of India, *ex officio*:
Provided that the Chairman may nominate any officer of the Corporation to represent him on the Trust Committee;
- (g) the Deputy Secretary to the Government of West Bengal, Judicial Department, dealing with the subject matter of this Act, *ex officio*;
- (h) four members elected by the members of the Bar Council from amongst themselves;
- (i) four members nominated by the State Government from amongst the persons who have for at least ten years been advocates.

(3) Subject to the provisions of this Act,—

- (a) a member elected under clause (h) of sub-section (2) shall hold office for two years from the date of his election:

Provided that he shall continue to hold office as a member of the Trust Committee until his successor is elected;

- (b) a member nominated under clause (i) of sub-section (2) shall hold office for two years from the date of nomination.

(4) The Trust Committee shall be a body corporate having perpetual succession and a common seal, with power to acquire, hold and dispose of property both movable and immovable, and to contract, and shall by its name sue and be sued.

5. (1) A member of the Trust Committee elected under clause (h), or nominated under clause (i), of sub-section (2) of section 4 shall be disqualified for being chosen as, and for being, such member—

- (a) if he is of unsound mind and stands so declared by a competent court; or
- (b) if he is an undischarged insolvent; or
- (c) if he is absent from more than three consecutive meetings of the Trust Committee without the leave of the Trust Committee; or

Disqualifi-
cations for
membership
of Trust
Committee.

XIII of 1991.]

(Sections 6-9.)

- (d) if he is a member of the Fund and defaults to pay the annual subscription to the Fund; or
- (e) if he commits a breach of trust; or
- (f) if he is convicted by a competent court for an offence involving moral turpitude; or
- (g) if he is suspended by the Bar Council from practice or if his name is removed by the Bar Council from the State roll.

(2) The State Government may remove any member of the Trust Committee elected under clause (h), or nominated under clause (i), of sub-section (2) of section 4, who has incurred any of the disqualifications as aforesaid, after giving him an opportunity of being heard.

6. Any member of the Trust Committee elected under clause (h), or nominated under clause (i), of sub-section (2) of section 4 may resign his office by giving in writing under his hand addressed to the State Government one month's notice, and upon such resignation being accepted by the State Government, he shall be deemed to have vacated his office.

Resignation by members of Trust Committee.

7. Any casual vacancy occurring in the office of a member of the Trust Committee elected under clause (h), or nominated under clause (i), of sub-section (2) of section 4, whether by reason of his death, removal, resignation or otherwise, may be filled up as soon as possible by election or nomination, as the case may be, in accordance with the provisions of this Act, and the person so elected or nominated shall hold office for the remainder of the term of office of the person in whose place he is so elected or nominated.

Filling up of casual vacancy.

8. No act or proceeding of the Trust Committee shall be deemed to be invalid by reason merely of any vacancy in, or any defect in the constitution of, the Trust Committee.

Vacancies amongst members, or defect in constitution, of Trust Committee not to invalidate proceeding of Trust Committee.

9. (1) The Trust Committee shall meet at least once in every three months to transact business under this Act or the rules made thereunder.

Meetings of Trust Committee.

(Sections 10, 11.)

(2) The Trust Committee shall hold ordinarily in the fourth week of June every year a general meeting, in addition to any other meeting held under sub-section (1), to be called the annual general meeting, but fifteen months shall not intervene between the date of the last annual general meeting and that of the next annual general meeting:

Provided that the first annual general meeting of the Trust Committee shall be held on a date not later than fifteen months from the date of the first meeting of the Trust Committee held under sub-section (1).

(3) (a) The meetings of the Trust Committee shall be convened by Secretary of the Trust Committee with the approval, or under the direction, in writing, of the Chairman, or the Working Chairman of the Trust Committee, and the date, time and place of such meetings shall be such as may be fixed by the Chairman, or the Working Chairman, of the Trust Committee.

(b) At least fifteen days' notice of every such meeting shall be given by the Secretary of the Trust Committee to each member of the Trust Committee:

Provided that in the case of any emergency, such meeting may be convened with notice of at least two days.

(4) Five members of the Trust Committee shall be a quorum for a meeting of the Trust Committee.

(5) The Chairman or, in his absence, the Working Chairman or, in the absence of both, a member elected by the members present in the meeting shall preside over a meeting of the Trust Committee.

(6) Any matter coming up before a meeting of the Trust Committee for decision shall be decided by a majority of the members present and voting and, in the case of equality of votes, the Chairman or the Working Chairman or the member presiding over the meeting shall have a casting vote.

Vesting of
Fund in
Trust
Committee.

10. The Fund shall vest in the Trust Committee and shall, subject to the provisions of this Act, be applied by the Trust Committee for carrying out the purposes of this Act.

Functions
of Trust
Committee.

11. (1) The Trust Committee shall, subject to the provisions of this Act and the rules and the regulations made thereunder, administer the Fund.

(2) Without prejudice to the generality of the provisions of sub-section (1), the Trust Committee shall—

(a) hold the Fund in trust for the purposes of this Act;

(Section 12.)

- (b) receive applications for admission or readmission to the Fund, and dispose of such applications within ninety days from the date of receipt thereof;
- (c) receive applications from the members of the Fund or from the nominees or heirs or legal representatives of such members for payment out of the Fund, hold such enquiry as it deems necessary and dispose of the applications within five months from the date of receipt thereof;
- (d) maintain a minute-book and record therein the decision of the Trust Committee on each of the applications referred to in clauses (b) and (c);
- (e) pay to the members of the Fund or the nominees or heirs or legal representatives of such members the amount payable under section 23;
- (f) sanction such officers and other employees as it may consider necessary for performing its functions under this Act;
- (g) make regulations regulating the recruitment, and the conditions of service, of officers and other employees;
- (h) send such periodical and annual reports to the State Government and the Bar Council as may be prescribed;
- (i) inform under certificate of posting the applicants for admission or readmission to the Fund, and the members of the Fund or the nominees or heirs or legal representatives of such members claiming payment out of the Fund, of the decision of the Trust Committee on their applications;
- (j) do such other thing as may be or is required to be done under this Act or the rules or the regulations made thereunder.

12. (1) The Trust Committee may, on the recommendation of the Bar Council and with the prior approval of the State Government, borrow money from time to time for carrying out the purposes of this Act.

Power to borrow and invest, and to make payment out of Fund.

(2) The Trust Committee shall deposit all moneys and receipts forming part of the Fund with any nationalised or other bank and may invest the same in any units issued by the Unit Trust of India or in any National Savings Certificates issued by any post-office or in any Government Securities or in any loans to any corporation owned or controlled by the Central Government or the State Government or in any loans floated by the Central Government or the State Government or in such other manner as the Bar Council may, from time to time, direct with the prior approval of the State Government.

(Sections 13, 14.)

(3) All amounts due and payable under this Act and all expenditure on account of the administration of the Fund shall be paid out of the Fund.

Audit of accounts.

13. (1) The accounts of the Trust Committee shall be audited by a chartered accountant as defined in clause (b) of sub-section (1) of section 2 of the Chartered Accountants Act, 1949, who shall be appointed by the Bar Council.

38 of 1949.

(2) The accounts of the Trust Committee together with the certificate of audit and the audit report shall be forwarded to the Bar Council by the Trust Committee and the Bar Council may, on receipt of the certificate and the audit report, give such directions to the Trust Committee as it may deem fit.

(3) The Trust Committee shall comply with the instructions contained in the audit report, and the directions of the Bar Council under sub-section (2).

Secretary of Trust Committee and his powers and duties.

14. (1) The Secretary of the Bar Council shall be the *ex officio* Secretary of the Trust Committee. In the absence of the Secretary, the Assistant Secretary of the Bar Council shall act as the *ex officio* Secretary of the Trust Committee.

(2) The Secretary of the Trust Committee shall—

- (a) be the chief executive of the Trust Committee;
- (b) represent the Trust Committee in all suits and proceedings for or against the Trust Committee;
- (c) authenticate all decisions and instructions of the Trust Committee and all orders and other instruments made and executed in the name of the Trust Committee by his signature;
- (d) operate bank accounts jointly with the Chairman or the Working Chairman of the Trust Committee;
- (e) prepare the minutes of the proceeding of the meeting of the Trust Committee as approved by the Chairman or the Working Chairman or the member presiding over the meeting, send the copy of the same to the State Government, the Bar Council and the members of the Trust Committee, and place the same in the next meeting of the Trust Committee for confirmation;
- (f) attend the meetings of the Trust Committee with all necessary records, and furnish such information as may be required by the Trust Committee;

(Sections 15, 16.)

- (g) maintain such forms, registers and other records as may be prescribed;
- (h) make correspondence on any matter relating to the Fund and the Trust Committee;
- (i) prepare the annual statement of business transacted by the Trust Committee during each financial year ending on the 31st March;
- (j) act as the appointing and disciplinary authority of Officers and other employees of the Trust Committee;
- (k) do such other thing as the State Government or the Bar Council or the Trust Committee or the Chairman or the Working Chairman of the Trust Committee may direct.

15. (1) The Accountant of the Bar Council shall be the *ex officio* Treasurer-cum-Accountant of the Trust Committee. In the absence of the Accountant, the Assistant Accountant of the Bar Council shall act as the *ex officio* Treasurer-cum-Accountant of the Trust Committee.

Treasurer-cum-Accountant of Trust Committee and his duties.

(2) The Treasurer-cum-Accountant of the Trust Committee shall—

- (a) maintain and keep proper books of accounts, and record a true and correct account of daily receipts and expenditure of the Trust Committee;
- (b) prepare the final accounts of the Trust Committee;
- (c) assist the chartered accountant in the audit of the accounts of the Trust Committee;
- (d) sign all bills and vouchers jointly with the Secretary of the Trust Committee;
- (e) attend the meetings of the Trust Committee (including the annual general meeting);
- (f) disburse money as may be required to be paid out of the Fund;
- (g) perform such other functions and discharge such other duties as may be assigned to him by the Chairman or the Secretary of the Trust Committee.

16. (1) No Bar Association shall be recognised as such by the Bar Council for the purposes of this Act unless it is registered in the manner hereinafter provided.

Registration of Bar Association.

(2) Every Bar Association shall, if it intends to be recognised as such for the purposes of this Act, apply on or before such date or such extended date as the Bar Council may notify, to the Bar Council for registration in such form as may be prescribed.

(Sections 17, 18.)

(3) Every application for registration shall be accompanied by the rules and the bye-laws of the Association, the names and addresses of the office-bearers and the members of the executive committee of the Association and an up-to-date list of the members of the Association showing the name, address, age and date or year of enrolment of each such member and the place where he ordinarily practises.

(4) The Bar Council may, after such enquiry as it deems necessary, register the Bar Association and issue a certificate of registration in such form as may be prescribed and thereupon the Association shall be recognised as such by the Bar Council for the purposes of this Act.

(5) The decision of the Bar Council on any matter regarding registration and recognition of a Bar Association shall be final.

Duties of
Bar
Associa-
tion.

17. (1) Every Bar Association shall, on or before the 30th April each year, send to the Bar Council a list of members of the Association as on the 31st March of that year.

(2) Every Bar Association shall inform the Bar Council, in writing, of—

- (a) any change of office-bearers and members of the executive committee of the Association within thirty days of such change;
- (b) any change of membership (including admission and readmission of members) within thirty days of such change;
- (c) the cessation of practice, retirement or suspension from practice of any member of the Association within thirty days of the occurrence thereof;
- (d) such other matters as may be prescribed or required by the Bar Council from time to time.

Member-
ship of
Fund.

18. (1) Every advocate may apply to the Trust Committee for admission as a member of the Fund in such form as may be prescribed.

(2) On receipt of an application under sub-section (1), the Trust Committee shall make an enquiry as to the eligibility of the applicant for admission as a member of the Fund and shall either admit the applicant as a member of the Fund or, for reasons to be recorded in writing, reject the application:

Provided that no application shall be rejected without giving the applicant an opportunity of being heard.

(Section 19.)

(3) Every applicant shall pay an application fee at the following rates:—

- (a) in the case of an applicant who has been an advocate for fifteen years or more, rupees two hundred;
- (b) in the case of an applicant who has been an advocate for less than fifteen years but not less than five years, rupees one hundred;
- (c) in the case of an applicant who has been an advocate for less than five years, rupees fifty.

(4) The application fee as aforesaid shall be payable in four equal instalments in such manner as may be prescribed:

Provided that the first instalment shall be payable with the application for admission as a member of the Fund:

Provided further that an applicant belonging to the Scheduled Castes or the Scheduled Tribes shall pay an application fee equal to half of such fee in accordance with the provisions of clause (a) or clause (b) or clause (c), as the case may be, of sub-section (3).

(5) When an application for admission as a member of the Fund is rejected under sub-section (2), the first instalment of the application fee paid by the applicant shall be refunded to him.

19. (1) Every member of the Fund shall pay an annual subscription to the Fund on or before the 31st December each year at the following rates:—

Annual
subscription
to Fund.

- (a) where the member of the Fund has been an advocate for fifteen years or more on the 31st December of the preceding year, rupees one hundred and fifty;
- (b) where the member of the Fund has been an advocate for less than fifteen years but not less than five years on the 31st December of the preceding year, rupees one hundred;
- (c) where the member of the Fund has been an advocate for less than five years on the 31st December of the preceding year, rupees fifty.

(2) Any member of the Fund may, at his option, pay the annual subscription to the Fund in two equal half-yearly instalments, the first instalment being payable on or before the 30th June, and the second instalment being payable on or before the 31st December, each year.

(3) Any member of the Fund, who fails to pay the annual subscription to the Fund under sub-section (1) or the half-yearly instalments under sub-section (2) on or before the dates mentioned therein, shall be liable to be removed by the Trust Committee from the membership of the Fund:

(Sections 20-22.)

Provided that no member of the Fund shall be removed from the membership of the Fund unless he has been given one month's notice in writing in this behalf.

(4) Any advocate who has been removed from the membership of the Fund under sub-section (3), may be readmitted as a member of the Fund on payment of the arrears of annual subscription with interest at the rate of twelve per cent. per annum within six months from the date of removal.

Nomina-
tion.

20. (1) Every member of the Fund shall, upon admission to the membership of the Fund, make a nomination, in such form as may be prescribed, conferring on one or more persons the right to receive the amount which may be due to him from the Fund in the event of his death before the amount has been paid to him.

(2) If any member of the Fund nominates more than one person under sub-section (1), he shall specify in the form of nomination the amount or the share to which each such person shall be entitled so as to cover the whole amount that may be due to him.

(3) A member of the Fund may at any time cancel the nomination by sending to the Trust Committee a notice in writing, provided that he shall, along with the notice, send a fresh nomination.

Furnishing
of informa-
tion to
Trust
Committee.

21. Every member of the Fund who voluntarily suspends practice or retires from practice shall, within fifteen days of such suspension of practice or retirement from practice, inform the Trust Committee of the fact of such suspension of practice or retirement from practice, as the case may be. If any member of the Fund fails to so inform the Trust Committee without sufficient reasons, the Trust Committee may, in such manner as may be prescribed, reduce the amount payable to him from the Fund under this Act.

Act not to
apply in
certain
cases.

22. The provisions of this Act shall not apply to an advocate—

- (a) if he is not a member of a Bar Association; or
- (b) if his name has been removed by the Bar Council from the State roll either under section 26A, or under clause (d) of sub-section (3) of section 35, of the Advocates Act, 1961; or
- (c) if he is suspended from practice under clause (c) of sub-section (3) of section 35 of the Advocates Act, 1961:

Provided that the provisions of this clause shall not apply to him beyond the period of suspension; or

25 of 1961.

(Section 23.)

- (d) if he is an undischarged insolvent; or
- (e) if he is convicted by a competent court for an offence involving moral turpitude:

Provided that the provisions of this clause shall cease to apply to him on the expiry of a period of two years from the date of his release from jail or from the date of payment of fine by him in case he is sentenced to pay a fine only, as the case may be; or

- (f) if he carries on any occupation, trade or business in contravention of the provisions of any law for the time being in force; or
- (g) if he voluntarily suspends practice:

Provided that the provisions of this clause shall cease to apply to him upon the resumption of practice by him; or

- (h) if he has received, by virtue of his service in any post and in accordance with the terms and conditions of such service, any financial benefit (including Provident Fund, Gratuity, Pension or Compensation) upon retirement, resignation, retrenchment or termination of service; or
- (i) if he is a law officer of the Central Government or of any State Government or of any corporation or other body constituted under any law for the time being in force who has been enrolled as an advocate under the Advocates Act, 1961 and the rules made thereunder notwithstanding his being a full-time salaried employee.

25 of 1961.

23. (1) A member of the Fund shall, upon cessation of practice or upon retirement, be entitled to receive from the Fund an amount at the rate specified in the Schedule:

Payment
from Fund.

Provided that where under sub-section (4), for the remaining fraction of years, every year of practice is computed as three months of practice, a member of the Fund shall be entitled to receive an additional amount of rupees two hundred and fifty for each such period of three months so computed.

(2) In the event of death of a member of the Fund, the amount shall be paid to his nominee or, where there is no such nominee or, in the absence of the nominee, to his legal heir or representative on production of a succession certificate.

(3) A member of the Fund may opt for payment from the Fund any time after five years from the date of his admission to the Fund, but he shall be eligible for readmission to the Fund as a new member on such conditions as may be prescribed.

(Sections 24, 25.)

(4) For calculating the period of practice referred to in the Schedule, every four years of practice, if any, before admission as a member of the Fund shall be computed as one year of practice and, for the remaining fraction of years of practice, every such year of practice shall be computed as three months of practice, and the total of the completed years of practice so computed shall be added to the number of years of practice after admission as a member of the Fund.

(5) In the case of a member of the Fund who dies within five years of his admission to the Fund, his nominee or legal heir or representative, as case may be, shall be eligible to receive from the Fund an amount at the rate of rupees one thousand for each year of practice.

(6) An application for payment from the Fund shall be made to the Trust Committee in such form as may be prescribed.

(7) Where a member of the Fund voluntarily withdraws from practice within five years of his admission to the Fund, he shall be entitled to the refund of the annual subscription to the Fund paid by him under section 19 on an application to the Trust Committee made by him in such form as may be prescribed.

(8) The Trust Committee shall, on receipt of an application under sub-section (7), dispose of the same after such enquiry as it deems necessary.

Appeal.

24. (1) An appeal against any decision of the Trust Committee shall lie before the Bar Council.

(2) An appeal shall be preferred in the prescribed form and shall be accompanied by—

- (a) the order appealed against, and
- (b) a non-refundable fee of rupees ten.

(3) Every appeal shall be preferred within thirty days from the date of receipt of the order appealed against.

(4) The decision of the Bar Council on the appeal shall be final.

Group
Insurance
and other
benefits for
members of
the Fund.

25. (1) The Trust Committee may, for the welfare of the members of the Fund,—

- (a) obtain from the Life Insurance Corporation of India policies of Group Insurance for the members of the Fund;
- (b) provide for medical and educational facilities for the members of the Fund and their dependants;
- (c) provide for better library facilities for Bar Associations to enable the members of the Fund to avail of the same;
- (d) provide for such other benefits and amenities as may be prescribed.

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(Sections 26-29.)

(2) Notwithstanding anything contained in this Act, the Trust Committee may, at its discretion, provide financial assistance from the Fund to organise welfare schemes for the indigent, disabled or other advocates who are members of the Fund.

26. (1) Notwithstanding anything contained in any other law for the time being in force, the interest of any member of the Fund in the Fund or the right of a member of the Fund or his nominee or legal heir to receive any amount from the Fund shall not be assigned, alienated or charged and shall not be liable to attachment under any decree or order of any court, tribunal or other authority or person.

Restriction on alienation, attachment, etc. of interests of members of Funds in Fund.

(2) No creditor shall be entitled to proceed against the Fund or the interest therein of any member of the Fund or his nominee or legal heir.

Explanation.—For the purposes of this section, “creditor” shall include the State, or an official assignee, appointed under the Presidency-towns Insolvency Act, 1909, or a receiver, appointed under the Provincial Insolvency Act, 1920, or under any other law for the time being in force.

3 of 1909.
5 of 1920.

27. The Trust Committee and the Bar Council shall, for the purposes of any enquiry under this Act, have the same powers as are vested in a civil court while trying a suit under the Code of Civil Procedure, 1908, in respect of the following matters:—

Power to summon witnesses and take evidence.

5 of 1908.

- (a) enforcing the attendance of any person for examining him on oath;
- (b) requiring the discovery and production of documents;
- (c) receiving evidence on affidavit;
- (d) issuing commissions for examination of witnesses.

28. (1) The State Government may, by notification, make rules for carrying out the purposes of this Act.

Power to make rules.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the matters which under any provision of this Act, may be or are required to be prescribed or made by rules.

29. (1) The Trust Committee may, with the previous approval of the State Government, make regulations, not inconsistent with the provisions of this Act or the rules made thereunder, for discharging its functions under this Act.

Power to make regulations.

(2) All regulations shall be published in the *Official Gazette*.

(Schedule.)

SCHEDULE
[See section 23(1).]

				Rs.
30 Years' practice	..	..	..	30,000
29 Years' practice	..	..	..	29,000
28 Years' practice	..	..	..	28,000
27 Years' practice	..	..	..	27,000
26 Years' practice	..	..	..	26,000
25 Years' practice	..	..	..	25,000
24 Years' practice	..	..	..	24,000
23 Years' practice	..	..	..	23,000
22 Years' practice	..	..	..	22,000
21 Years' practice	..	..	..	21,000
20 Years' practice	..	..	..	20,000
19 Years' practice	..	..	..	19,000
18 Years' practice	..	..	..	18,000
17 Years' practice	..	..	..	17,000
16 Years' practice	..	..	..	16,000
15 Years' practice	..	..	..	15,000
14 Years' practice	..	..	..	14,000
13 Years' practice	..	..	..	13,000
12 Years' practice	..	..	..	12,000
11 Years' practice	..	..	..	11,000
10 Years' practice	..	..	..	10,000
9 Years' practice	..	..	..	9,000
8 Years' practice	..	..	..	8,000
7 Years' practice	..	..	..	7,000
6 Years' practice	..	..	..	6,000
5 Years' practice	..	..	..	5,000
4 Years' practice	..	..	..	4,000
3 Years' practice	..	..	..	3,000
2 Years' practice	..	..	..	2,000
1 Year's practice	..	..	..	1,000