

उच्च न्यायालय, मध्यप्रदेश, जबलपुर

—::— ज्ञा प न —::—

क्रमांक B/6136 /
पांच-3-46/57 (भाग-पन्द्रह)

जबलपुर, दिनांक 20 / दिसम्बर, 2016
21

प्रति,

जिला एवं सत्र न्यायाधीश,
समस्त (म0प्र0)।

प्रधान न्यायाधीश,
कुटुम्ब न्यायालय,
समस्त (म0प्र0)।

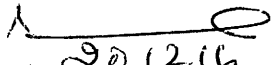
विषय :- प्रदेश के जिला न्यायालय एवं तालुका न्यायालय परिसर में अधिवक्तागण के चेम्बर निर्माण संबंधी नीति बाबत।

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उपरोक्त विषयान्तर्गत निर्देशानुसार आपकी ओर प्रदेश के जिला न्यायालय एवं तालुका स्थित न्यायालय परिसर में अधिवक्तागण के चेम्बर के निर्माण संबंधी तैयार की गई नीति की प्रतिलिपि संलग्न कर प्रेषित की जा रही है।


अतः आपसे अनुरोध है कि प्रदेश के जिला न्यायालय एवं तालुका स्थित न्यायालय के परिसर में अधिवक्तागण के चेम्बर के निर्माण संबंधी तैयार की गई नीति की प्रतिलिपि जिला एवं तालुका न्यायालय के अभिभाषक संघ के अध्यक्ष/सचिव की ओर अवलोकनार्थ प्रेषित करने का कष्ट करें।

संलग्न :- उपरोक्तानुसार।


20.12.16
(सनत कुमार कश्यप)
रजिस्ट्रार (जिला स्थापना)

**POLICY DOCUMENT REGARDING CONSTRUCTION OF
ADVOCATE CHAMBER AT THE DISTRICT COURT PREMISES
IN THE STATE OF M.P.**


1. Application regarding construction of Advocates Chamber at any District Court premises of the State shall invariably be forwarded to the Registry by District Bar Association after passing a resolution in this regard from the general body meeting and through the District & Sessions Judge of the District concerned. Such resolution of the Bar Association shall invariably contain the total number of practising Advocates, details of current sitting arrangements of Advocates, justification and necessity of further construction, numbers of chambers proposed to be constructed, proposed sitting plan in the proposed construction, availability & area of land required, map/plan regarding proposed construction and undertaking/declaration to this effect that the arrangements for electricity and water supply shall be made by the Bar Association and it shall borne all the cost in this regard & the Bar Association shall be responsible for cleanliness of the said space and they will abide by all the condition and directions stipulated by the Registry & District Judge concerned and shall also comply with all the prevailing and future enactment and Rules made by the High Court, the State Government & Local Authorities in this regard.

2. The District & Sessions Judge of the District Concerned, on receipt of such application of the Bar Association, shall personally verify each fact of such application and prepare a detail note regarding the genuine necessity of the proposed construction, availability of land regarding proposed construction, note regarding total vacant/open land situated inside the existing premises, the availability of vacant/open land for future expansion of the existing District Court Building after allotment of land for the proposed construction, total numbers of existing chambers, if any, verification report of the Engineer of the PWD regarding the map/plan and strength of existing structure if the proposed construction is located on the upper floor of an existing structure submitted by the Bar Association and forward the estimate to the Registry for further action. 

3. The Registry on receipt of such proposal from the Establishment of the District Court concerned shall weigh the proposal and may impose or strike out any conditions stipulated therein, as per requirement, on careful consideration of such proposal.
4. Bar Associations shall be allotted the land as lessee of the allotted land for a period of 30 years.
5. Bar Associations shall carry out all the construction on the allotted land under the supervision of the District Judge concerned.
6. The space to Bar Associations shall be allotted on the condition that they shall be responsible for its proper maintenance and they shall have to take their own electricity and water connection and they shall also be responsible for the payment of electricity, water charges and any other charges arises due to consumption of the members of the Bar.
7. Bar Association shall be responsible for construction of approach road in front of the proposed chambers.
8. The construction shall be carried out in the supervision of the Hon'ble Portfolio Judge and District & Sessions Judge, strictly as per permission and strictly in consonance with the permission granted under the prevailing law.
9. Each chamber shall be constructed in the area of 12 fts. x15 fts., having wash room and shall accommodate at least 4 Advocates per chamber.
10. Bar Association shall keep provision of lavatory and cleanliness of the same for the use of occupants of the Chambers.
11. Bar Association shall vacate corridors of the District Court prior to shifting to new Chamber and shall not occupy the same in future for all time to come.
12. Bar Association shall have to pay lease rent as may be fixed by PWD authorities, which will be renewed on expiry of the term.
13. Bar Association shall have to obtain all necessary permissions from the concerned Government & Local Authorities before commencement of the construction.
14. Bar Associations will be accorded permission for the proposed construction solely for the purpose of sitting of the Advocates, the place shall not be, in any condition, used for any other commercial or Non-Commercial purposes without prior permission of the High Court.

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15. The space so allotted shall remain open from 8.00 a.m. to 8.00 p.m. only during the working days of the District Court concerned. For any relaxation in the timing the Bar Association will have to make an application to the District Judge concerned who may decide the same on its merit under intimation to the Registry.
16. Depending upon the local conditions/circumstances the High Court may stipulate any additional condition on the recommendation of the District & Sessions Judge concerned which shall be binding on all the parties.
17. The Bar Association shall prepare an appropriate Plan/Policy to ensure transparency in allotment of the Chambers to the members, which shall also be approved by the concerned District and Sessions Judge.
18. **"One Person, One Chamber, One Court Complex"**- Advocate who has been allotted a Chamber in any Court Complex, or who has constructed or owns any Chamber in any Court complex of a particular place, having multiple forum of Judicial redressal for example at Jabalpur, Indore, Gwalior, Bhopal etc., shall not be eligible for allotment of another Chamber in that particular place.
19. Each Advocate shall also furnish a declaration that she or he has not applied for any, or has not been allotted any Chamber in any other Court Complex. Any false declaration shall entail cancellation of Chamber allotment, or removal of the name from list of eligible applicant.
20. Bar Association or any allottee shall not sublet the chamber constructed on such land.


(MANOHAR MAMTANI)
REGISTRAR GENERAL
HIGH COURT OF MADHYA PRADESH