

HIGH COURT OF MADHYA PRADESH : JABALPUR

// MEMO //

No. C/5041/
V-3-46/57 (Part XV)

Jabalpur, dated 07/12/2017

✓ To,

1. All District & Sessions Judge,
2. All Principal Judges of Family Courts,
of Madhya Pradesh

Sub:- Amended Policy Document regarding construction of Advocate Chamber at the District Court premises in the State of M.P.

Ref:- Registry memo no. B/6281/V-3-46/57 (Part XV), date 27.12.2016.

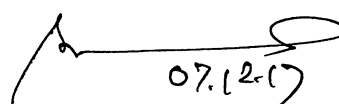
--00--

In regard to the subject cited above, I am to state that Hon'ble the Full Court in its meeting date 03.12.2017 is pleased to resolve to amend the Policy Document regarding construction of Advocate Chamber at the District Court premises in the State of Madhya Pradesh.

Therefore, as directed, the "Amended policy document regarding construction of Advocate Chamber at the District Court premises in the state of Madhya Pradesh" is being forwarded for information and necessary action.

As directed, I am to further request you to communicate the amendments in the existing Chamber Policy to the District Bar Associations and Tehsil Court Bar Associations.

Enclosure:- As above


07.12.17
(SANAT KUMAR KASHYAP)
REGISTRAR (D.E.)

Endt. No. B/5042/
V-3-46/57 (Part XV)

Jabalpur, dated /12/2017

Copy forwarded to :-

Secretary, State Bar Council of Madhya Pradesh, Jabalpur, High Court Campus,
Jabalpur for information.

Enclosure:- As above

Sd/-
(SANAT KUMAR KASHYAP)
REGISTRAR (D.E.)

--00--

**AMENDED 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 ¹**through the Madhya Pradesh State Bar Council Housing Committee**. 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.

(¹Amended as per Resolution date 03/12/2017 of the Hon'ble Full Court.)



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. **²Allotment of Land shall be on payment of License fee of Rs. 100/- per year for the purposes of use of Advocates' Chamber on the terms and conditions so imposed by the High Court to be finalized by the Subordinate Courts Building Construction and Maintenance Committee. In case of revocation of license for any reason the Bar Association shall be at liberty to take away the super structure without any right to claim compensation.**
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., ³ - - - - 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. ⁴ - - - - Deleted - - - - -

(²Substitued as per Resolution dt. 03/12/2017 of the Hon'ble Full Court.

³ Words- "having washroom and" -deleted as per Resolution dt. 03/12/2017 of the Hon'ble Full Court.

⁴Para 12 of the Policy Document stands deleted as per Resolution dt. 03/12/2017 of the Hon'ble Full Court.)

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.
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.



(MOHD. FAHIM ANWAR)
REGISTRAR GENERAL

✓ HIGH COURT OF MADHYA PRADESH