

High Court of Jammu and Kashmir at Srinagar

To

The Principal District & Sessions Judge,

No:- 18547-67/E.S Dated:- 06-09-2016

Sir,

The Communication No.17565-86/GS dated 12.08.2016 of this registry (copy enclosed) required all the Principal District & Sessions Judges to offer their opinion vis-à-vis the observation of the Hon'ble Supreme Court in Criminal Appeal No.63 of 2006 titled: Mahipal Singh Rana Vs State of U.P., which should have been reached this office before 31.08.2016.

Your response in this regard is still awaited which may please be expedited and it be ensured that same is received in this Registry with in a weeks time so that further follow-up action could be taken in the matter with utmost despatch.

Yours faithfully

(Ashok Kumar Koul)
Registrar General

5/9/16.

HIGH COURT OF JAMMU AND KASHMIR
(Office of the Registrar General at Srinagar)

To

All the Principal District and Sessions Judge,

No: 17 565/95-86/95

Dated: 12.08.2016

Sir,

Hon'ble Dr. Justice B. S. Chauhan (Former Judge, Supreme Court of India), Chairman, Law Commission of India, Government of India, has addressed a D. O. letter bearing No. 6(3)297/2016-LC (LS) dated 4th August, 2016 (copy attached), to Hon'ble the Chief Justice, High Court of J&K. In the letter His Lordship has stated that the Hon'ble Supreme Court of India in Criminal Appeal No. 63 of 2006, Mahipal Singh Rana v. State of U.P., observed as under:

"In a recent judgment of this Court in Modern Dental College and Research Centre v. State of M.P., in Civil Appeal No.4060 of 2009 dated 2nd May, 2016, while directing review of regulatory mechanism for the medical profession, this Court observed that there is need to review of the regulatory mechanism of the other professions as well. The relevant observations are:

"There is perhaps urgent need to review the regulatory mechanism for other services oriented professions also. We do hope this issue will receive attention of concerned authorities, including the Law Commission, in due course."

In view of the above, we request the Law Commission of India to go into all relevant aspects relating to regulation of legal profession in consultation with all concerned at an early date. We hope the Government of India will consider taking further appropriate steps in the light of report of the Law Commission within six months thereafter."

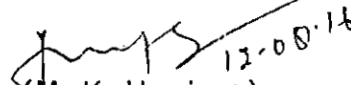
His Lordship has proceeded to state that taking into consideration the above, the Law Commission of India has undertaken the study of the Advocates Act, 1961 and in order to carry out a detailed study, the Law Commission of India would require the opinion of all the stakeholders, viz., the members of the Judiciary and the Bar. The Associations of Advocates exist in various names in different High Courts/Benches and in an effort to give a fair chance to all concerned, the Commission would like to have the opinion of all such Associations of Bar/Advocates that exist in the High Court (including its Benches) and the view of the members of Judiciary on the matter.

In the letter a request has been made to give wide publicity to this endeavour of the Commission among the various Associations of Advocates (in whatever name they exist) and to send in their response directly to the Commission by email at lci-dla@nic.in at the earliest, but not later than 31st August, 2016.

Hon'ble the Chief Justice has been pleased to direct that all the Principal District Judges in the State of Jammu and Kashmir be requested to give their opinion in the matter before the 31st August, 2016.

Please be kind enough to give your opinion in the matter before the 31st August, 2016, so that the same is sent to the Commission.

Yours faithfully,


(M. K. Hanjura)
Registrar General