

# HIGH COURT OF JAMMU & KASHMIR AND LADAKH

(Office of the Registrar General at Srinagar)

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**Subject: Transfer of Advocates' Welfare Fund maintained at the High Court level & District Courts level and Relief Fund into the account of the Advocates' Welfare Fund established by the Government.**

## ORDER

No.: 563 of 2024/RG/LP

Dated:-10.05.2024

Whereas, notwithstanding the issuance of the order No. 805 of 2023/RG dated 18.07.2023, whereby on the strength of the Hon'ble Full Court resolution dated 17.06.2023, it was ordered that all the orders/notification/circulars etc. issued from time to time by the High Court, including the High Court order No. 154 dated 16.05.2009, whereby the Bar Associations were authorized to issue Vakalatnamas and charge certain amount stand rescinded, still applications are being received for grant of financial assistance in favour of advocates.

Whereas, the matter was placed before the Hon'ble Administrative Committee for consideration and the Hon'ble Committee in its meeting held on 03.05.2024 has been pleased to resolve/recommend as under:-

*"That notwithstanding the issuance of the order No. 805 of 2023/RG dated 18.07.2023, whereby on the strength of the Hon'ble Full Court resolution dated 17.06.2023, it was ordered that all the orders/notification/circulars etc. issued from time to time by the High Court, including the High Court order No. 154 dated 16.05.2009, whereby the Bar Associations were authorized to issue Vakalatnamas and charge certain amount stand rescinded, still the High Court Bar Association is submitting applications for grant of financial assistance in favour of advocates. Since, after coming into force of the Advocates Welfare Fund Act, 2001 and constitution of the J&K Advocates' Welfare Fund Trustee Committee, a statutory and single window mechanism has been put in place for grant of financial assistance to the needy advocates, therefore, by virtue of the aforementioned order of the High Court, all the orders /notification/circulars etc., which also includes the administrative orders issued by the High Court from time to time, whereby certain sum is being authorized to be collected in the High Court as well as in the District Courts on the presentation of Suit / Petitions / Applications / CMPs /Sale Deeds etc., including order No. 154 dated 16.05.2009, whereby authorization has been given to the Bar Associations to issue Vakalatnamas and charge certain amount were rescinded.*

*As a consequence thereto and in the light of the statutory provisions governing the grant of financial assistance in favour of the advocates, it is recommended that the Registrars Judicial of both the Wings of the High Court as well as all PDJs of the UTs of J&K and Ladakh be directed to stop collection of amount towards Advocates Welfare Fund on presentation of Suit / Petitions / Applications / CMPs /Sale Deeds etc., and the amount lying in the Advocates' Welfare Fund maintained at the level of High Court and at the level of District Courts including the Relief Fund (maintained by the Registrar General) is recommended to be transferred to the Advocates' Welfare Fund established by the Government."*

Whereas, the matter came up for deliberations before the Hon'ble Full Court in its meeting held on 09.05.2024 and after threadbare deliberations the Hon'ble Full Court has been pleased to approve the aforesaid recommendations of the Hon'ble Administrative Committee.

Now, therefore, on the strength of the aforesaid resolution adopted by the Hon'ble Full Court, it is hereby ordered that the Registrars Judicial of both the Wings of the High Court as well as all the PDJs of the UTs of J&K and Ladakh are directed to stop collection of amount towards Advocates' Welfare Fund on presentation of Suits/ Petitions / Applications / CMPs /Sale Deeds etc., and the amount lying in the Advocates' Welfare Fund maintained at the level of High Court and at the level of District Courts including the Relief Fund ( maintained by the Registrar General) shall be transferred to the Advocates' Welfare Fund established by the Government.

Henceforth, all applications for grant of financial assistance in favour of the Advocates from the Advocates' Welfare Fund shall be presented before the Jammu & Kashmir Advocates' Welfare Fund Trustee Committee (constituted vide Notification No. 466 dated 03.10.2022) for consideration.

**By Order.**

*lw*  
10.05.24.

**(Shahzad Azeem)**  
**Registrar General**  
**Dated:-10.05.2024**

**No.:** 18006-20 /RG/LP

**Copy of the above forwarded to the:**

1. Principal Secretary to Hon'ble the Chief Justice, High Court of J&K and Ladakh;
2. Secretary to Hon'ble Mr./Mrs. Justice \_\_\_\_\_;  
*..... for information of their Lordships.*
3. Secretary to Government, Department of Law, Justice and Parliamentary Affairs, UT of J&K for information and necessary action;
4. Law Secretary, UT of Ladakh;
5. Secretary, Bar Council of India, New Delhi;
6. Registrar Vigilance, High Court of J&K and Ladakh, Srinagar;  
*..... for information.*
7. Registrar Judicial, High Court of J&K and Ladakh, Jammu/Srinagar for information and necessary compliance;
8. All Principal District and Sessions Judge, UTs of J&K and Ladakh for information and with the request to circulate the same amongst judicial officers working under their jurisdiction for information and necessary compliance.
9. Private Secretary to the Ld. Advocate General, J&K, Srinagar for information;
10. President of all Bar Associations of the UTs of J&K and Ladakh;
11. Director Finance, High Court of J&K and Ladakh, Srinagar;
12. Accounts Officer, High Court of J&K and Ladakh, Jammu/Srinagar;  
*..... for information and necessary action.*
13. Manager, J&K Bank Limited, Branch: High Court Complex, Jammu/Srinagar for information;
14. Incharge NIC, High Court of J&K and Ladakh for information and with the request to get the same uploaded on the official website of the Hon'ble High Court.
15. Incharge Library, High Court Wing Srinagar/Jammu for information and for keeping the record of the same.
16. Order File

*lw*  
10.05.24.  
**Registrar General**