

HIGH COURT OF JAMMU & KASHMIR & LADAKH At JAMMU

**Subject: AMENDMENT TO INSTRUCTIONS REGARDING
REGISTRATION OF CLERKS TO ADVOCATES IN THE
HIGH COURT/SUBORDINATE COURTS,1998**

NOTIFICATION

No:- 678 of 2024/LP. Dated:- 24-04-2024.

High Court of Jammu & Kashmir and Ladakh in exercise of powers vested in it under Articles 225 and 227 of the Constitution of India and all enabling provisions in this regard, hereby makes the amendment to the **Instructions Regarding Registration of Clerks to Advocates in the High Court/Subordinate Courts, 1998** in the following manner; -

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“In the instruction No.3 after words “*issue an identity card to him*” and before words “*which shall be non-transferrable and be produced by the holder on demand*” words “*subject to furnishing of an undertaking by him/her undertaking to surrender the identity card forthwith to the issuing authority thereof, in case he/she is disengaged, removed or ceases to be the Clerk of the Advocate concerned,*” are added.

“After -instruction No.10(b), a new instruction No.10(c) is inserted as under;-

“The fee payable for the identity card shall be Rs 200/- or such other fee as may be prescribed in this regard.”

By Order

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24.04.24.
(Shahzad Azeem)
Registrar General

No: 15000-13/RG/LP. Dated 24-04-2024.

Copy To :-

1. The Principal Secretary To Hon'ble the Chief Justice, High Court of J & K and Ladakh.
2. Registrar Vigilance High Court of J & K and Ladakh, Jammu
3. Registrar Rules, High Court of J & K and Ladakh, Jammu. This is in reference to your Communication No.71/R /Rules/JMU dated 01.04.2024
4. Registrar Judicial Jammu/Srinagar for information & necessary action.
5. Principal District & Session Judge _____ for information and necessary action.

6. CPC, E-Courts , High Court of J&K and Ladakh, Jammu for uploading the same on the official website of the High Court.
7. Manager Government Press, Jammu for publication of the same in the next Government Gazette.
8. In-charge, Library, High Court Wing Jammu/Srinagar for keeping the record of the same.


24.04.24
REGISTRAR GENERAL

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HIGH COURT OF JAMMU & KASHMIR AT JAMMU.

To

Registrar J.O. Jammu / Srinagar

All Principal District Sessions Judge

No 23742-56/LP /Dated: 29-01-98

Subject: Registration of Clerks of Advocates.

Sir,

There is a general complaint that unauthorised persons generally enter the Courts and acts as touts in the Court premises and even in the ministerial offices of the Courts. Such persons who pose to be the clerks of the Advocates are indulging in touting in the Courts.

I am, therefore, forwarding herewith copy of Rules and copy of application, identity Card, in the prescribed form, to regulate the registration of the Clerks of the Advocates, in order to check the menace of touting in the Courts.

Yours faithfully,

Encl: 5 Leaves

(HAKIM IFTYAZ HUSSAIN)
REGISTRAR GENERAL.

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Subject: Instructions regarding Registration of Clerks to the Advocates in the High Court/ Subordinate Courts.

1. No Clerk employed by an Advocate shall act as such in the High Court or subordinate Courts in the State or be permitted to have access to the records and obtain copies of the orders of the Court in which the Advocate ordinarily practices unless his name is entered in the register of clerks maintained by the High Court/ principal District Judge. Such clerk shall be known as a "Registered Clerk".
2. An Advocate desirous of registering his clerk shall make an application to the Registrar Judicial in case of the High Court or to the Principal District Judge concerned in case of the Subordinate Courts in Form I. On such application being allowed by the Registrar Judicial/Principal District Judge, his name shall be entered in the Register of Clerks to be maintained for the purpose.
3. After registration of the clerk, the Registrar Judicial/District Judge shall issue an identity card to him which shall be non-transferable and shall be produced by the holder upon demand.
4. An advocate shall have at a time not more than two registered clerks unless the Registrar Judicial/District Judge concerned may by general or special order otherwise permits.
5. Whenever an Advocate ceases to employ a Registered Clerk, he shall notify the facts at once to the Registrar Judicial/District Judge as the case may be by means of a letter enclosing therewith. The identity

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card issued to his clerk by the Registrar Judicial/District Judge, and on receipt of such letter the name of the said registered Clerk shall be struck off from the register and the identity card stand cancelled.

- 6. No person who is or has been declared a tout or is an undischarged insolvent or has been convicted of an offence involving moral turpitude or has been dismissed from the service of the Government for corruption or dishonesty or otherwise unfit to be a clerk shall be registered as Registration Clerk of an Advocate.
- 7. The Registrar Judicial/District Judge may for reasons to be recorded in writing, decline to register any clerk, who in his opinion suffers from any dis-qualification or is otherwise unsuitable to be registered as such.
- 8. The Registrar Judicial/District Judge, may for reasons to be recorded in writing, cancel the registration of any clerk after giving him and his employer an opportunity to show cause against such cancellation.
- 9. An appeal may be filed against the order of Registrar Judicial/District Judge declining to Register a clerk or for the cancellation of the Registration within 30 days from the date of order to the Registrar General, whose decision shall be final.
- 10(a) An identity card as referred to above, shall be in Form No.2 and shall be attested by the Registrar Judicial/District Judge concerned.

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10(b) An identity card once issued shall be in force for a period of three years unless cancelled earlier.

11. The Registered Clerks, may communicate personally with any Sectional Head for information regarding their employer's matters pending in the Courts.

[Signature]
(HAKIM IFTI AZ HUSSAIN)
REGISTRAR GENERAL.

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(AMJAD)

FORM - I

APPLICATION FOR THE REGISTRATION OF A CLERK

1. Name of Legal Practitioner on whose behalf the Clerk is to be registered

2. Particulars of the Clerk to be registered.

i) Full Name : (in Capital)

ii) Father's Name :

iii) Age & Date of birth

iv) Place of birth

v) Nationality

vi) Education qualifications

vii) Particulars of Previous employment, if any

Attested Passport Size Photograph to be pasted.

I (Clerk above named), do hereby affirm that the particulars relating to me given above are true.

SIGNATURE OF CLERK

3. Whether the legal practitioner has a clerk already registered in his employ and whether the clerk sought to be registered is in lieu of or in addition to the Clerk already registered.

4. Whether the clerk sought to be registered is already registered as a Clerk of any other legal practitioner and if so, the name of such practitioner.

I (Legal Practitioner) certify that the particulars given above are true to the best of my information and belief and that I am not aware of any fact which would render unsuitable the registration of the said (name) as a Clerk.

Dated:

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FORM - II

HIGH COURT OF JAMMU & KASHMIR | DISTRICT & SESSION JUDGE'S COURT

Identity Card Reg. No.

Shri

Aged

Passport Size
photo to be
affixed

s/o Shri

Address

has been registered as a Registration Clerk

of Shri

Advocate

The Identity Card is valid from

Signature of the Registered Clerk.

Signature of the Advocate.

Seal of the Court.

Date :

REGISTRAR JUDICIAL/
DISTRICT & SESSIONS JUDGE

[Handwritten signature]

(AMJAD)