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25-3-2020 Rights and duties of an Advocate

Introduction:

An Advocate is a professional or an expert in the field of law. The laws governing Advocates is the Advocates Act, 1961 was given by the Ashok Kumar Sen, the then Chief Justice of India. The Advocates Act, 1961 is a law govt. by the Parliament and is controlled and implemented by the Bar Council of India. The Bar Council of India is the chief administrative body to manage the system and consistency of law in India.

In India, each state has its own Bar Council whose role is to register the Advocate willing to practice within a particular state or region. The registration of an advocate with a State Bar Council does not limit him to practice in that particular state or region and is permitted to show up in any court in India. Basically, the State Bar Councils have the role of dividing the workload of the Bar Council of India. The State Bar Councils could deal with the local issues in smoother ways.

The procedure for being an Advocate in India is of twofold. Firstly, the applicant must be a law graduate from a registered organisation in India (or from one of the four perceived universities in the United Kingdom). Secondly, the applicant must pass the following skills enlisted in the Bar Council of the State where the applicant wishes to enroll.

Right of Practice:—

The expression 'right to practice' in terms of the legal profession refers to an exclusive right given to advocates to practice law before courts and tribunals. The right to practice is protected at two levels and they are as follows:

- * General protection: under Article 19(1)(g) of the Indian ~~Con~~ Constitution protects the right of individuals to the practice of their choice.
- * Specific Protection: Under Section 30 of the Advocates Act, 1961 States that a person enrolled with the State Bar Councils ~~has~~ has the right to practice before any court or tribunal in India which also includes the supreme court. The ~~central~~ Central Government made this section effective recently.