

CHAPTER XIII

REGISTERED CLERKS OF LEGAL PRACTITIONERS

70. Prohibition of Employment of tout – No legal practitioner shall employ as his clerk any person who is a tout.

Explanation – “Tout” means a person who procures or attempts to procure for any consideration from any legal practitioner or from any person acting on his behalf, the employment of such legal practitioner in any legal business, or who, for purposes of such procurement, frequents the precincts of the Tribunal.

71. Disqualification for registration of clerks – 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 or corruption or dishonesty or is otherwise unfit to be a clerk shall be registered as legal practitioner's clerk as provided in rule 25 (1) of the Procedure Rules.

72. Registration of legal practitioner's clerk – (a) When an application in Form No. IV of the Procedure Rules is made by the legal practitioner for registration of his clerk and the same is allowed by the Registrar, the name of the clerk shall be entered in the Register of clerks in Register No.9.

(b) The Registrar may, for reasons to be recorded in writing, decline to register any clerk, who in his opinion suffers from any disqualification specified in rule 71 or is otherwise unsuitable to be registered as such.

(c) An appeal may be filed within thirty days from the date of the order of the Registrar under sub-rule (b) to the Chairman/Vice-Chairman.

73. Cancellation of registration - (a) The Registrar, 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.

(b) An appeal may be filed against the order of the Registrar made under sub-rule (a) within thirty days from the date of the order.

74. Notifying registration and cancellation - Orders registering a clerk or canceling the registration shall be notified on the Notice Board of the Tribunal and a copy sent to the Advocates Association.

75. Issue of Identity Card – (a) An Identity Card as referred to in sub-rule (3) of rule 25 of the Procedure Rules shall be issued in Form No. 13 to every registered clerk of the legal practitioner on his remitting a fee of Rs.5 by way of IPO/CC drawn in favour of the Registrar.

(b) The registered clerk shall carry with him the Identity Card and produce the same when required by any official of the registry for identification.

(c) An Identity Card once issued shall be in force for a period of five years unless cancelled earlier.

76. Access to information by registered clerks – The registered clerks, may communicate personally with any Sectional or Departmental Head not below the rank of a Section Officer for information regarding their employers' matters pending in the Tribunal.

77. Carrying out corrections – The Section officer in-charge of Judicial Branch may permit a registered clerk to correct any clerical or typographical mistake in any pleadings or other proceedings. The correction shall be made in the presence of the Section Officer and duly initialed by the maker as well as the Section Officer.

78. Discharge of duties of an absentee clerk – In case of illness or absence on leave of a registered clerk, the Deputy Registrar or the sectional head of the Judicial Branch may on the requisition of the legal practitioner under whom such registered clerk is engaged, permit the registered clerk of another legal practitioner to discharge the absentee's duties for a specified period.

79. Presentation and return of papers – Registered clerk may present or take return of papers on behalf of the legal practitioner whom he represents.