

# THE HIGH COURT OF MEGHALAYA AT SHILLONG

## NOTIFICATION

Dated, Shillong the 22<sup>nd</sup> May, 2026

### HIGH COURT OF MEGHALAYA (DESIGNATION OF SENIOR ADVOCATE) RULES, 2026

In exercise of the powers conferred by Article 227(2)(b) of the Constitution of India and sub-section (1) of Section 34 read with sub-section (2) of Section 16 of the Advocates Act, 1961 and in pursuance of the Judgment dated 13.05.2025 passed by the Hon'ble Supreme Court of India in Criminal Appeal No. 865 of 2025 titled Jitender @Kalla vs. State (Govt. of NCT of Delhi) and another with Writ Petition (Civil) No. 454 of 2015 and I.A. No. 36111 of 2023 in M.A. No.262 of 2023 in Writ Petition (Civil) No. 454 of 2015 and I.A. No. 45959 of 2022 (in I.A Diary No. 145730-31/2021 in M.A. No. 1502 of 2020 in Writ Petition (Civil) No. 454 of 2015), the High Court of Meghalaya frames the following rules for Designation of Senior Advocate and the matters incidental thereto.

#### **1. Short title, extent and commencement -**

- (1) These Rules shall be called 'High Court of Meghalaya (Designation of Senior Advocate) Rules, 2026'.
- (2) These Rules shall extend to the whole jurisdiction of the High Court of Meghalaya.
- (3) These Rules shall come into force immediately.

#### **2. Definitions.- In these Rules, unless the context otherwise requires -**

- (a) "Advocate" means an Advocate entered in any roll under the provisions of the Advocates Act, 1961.
- (b) "Bar Council" means the Meghalaya State Bar Council constituted under the Advocates Act, 1961.
- (c) "Committee" means the Permanent Committee for Designation of Senior Advocates as constituted under sub-rule (1) of Rule 5 of these Rules.
- (d) "Court" means the Courts established within the territorial jurisdiction and functioning under the supervisory control of the High Court of Meghalaya.

(e) "Chief Justice" means the Chief Justice of the High Court of Meghalaya and includes a Judge appointed under the Constitution of India to perform the duties of the Chief Justice.

(f) "District Court" means the Courts established within the territorial jurisdiction and functioning under the supervisory control of the High Court of Meghalaya.

(g) "Full Court" means the Full Court of the High Court of Meghalaya.

(h) "High Court" means the High Court of Meghalaya.

(i) "Judge" means a Judge of the High Court of Meghalaya.

(j) "Registrar General" means Registrar General of the High Court of Meghalaya.

(k) "Registry" means the Registry of the High Court of Meghalaya.

(l) "Roll" means the roll of Advocates prepared and maintained under the Advocates Act, 1961.

(m) "Secretariat" means the Secretariat established by the Chief Justice of the High Court of Meghalaya under sub-rule (2) of Rule 5 of these Rules.

(n) "Specialized Tribunals" means the Tribunals established and functioning within the territorial jurisdiction and/or under the supervisory control of the High Court.

**3. Designation of an Advocate as Senior Advocate.-** (1) The High Court of Meghalaya may designate an Advocate as Senior Advocate, if in its opinion, by virtue of his ability, standing at the Bar and special knowledge of law, the said Advocate is deserving of such distinction.

**Explanation:** (i) Ability: It will include very sound knowledge of law and especially the branches of law in which the Advocate is practicing. The ability will also include, apart from sound knowledge of law, skills of advocacy, which are required to effectively conduct a case. Writing articles and commentaries on law will be part of ability. Capacity to rationally critique judicial decisions will be a facet of ability.

(ii) Standing at the Bar: Some of the qualities which give an advocate a standing at the Bar are as follows:-

- (a) He/She is always fair while conducting cases before the Courts.
- (b) His/Her behaviour with the Judges and other members of the Bar is respectful.
- (c) He/She maintains decorum while conducting cases before the Court.
- (d) He/She follows the highest standards of professional etiquette and ethics.
- (e) He/She act as a mentor to the junior advocates.
- (f) He/She does pro bono work.
- (g) He/She carries respect in the legal fraternity.

(h) He/She does possess honesty and integrity.

The above list is only illustrative in nature, and not exhaustive.

(iii) Special Knowledge of Law: An Advocate may be said to be having special knowledge or experience in law if in a particular branch of law, he/she has acquired expertise; for example, Arbitration, Insolvency and Bankruptcy, Company Law, Intellectual Property Law, Tax Laws etc.

(2) No person shall be eligible to be designated as Senior Advocate unless he:

(i) Has a minimum of ten years of practice as an Advocate in the High Court of Meghalaya (or in the erstwhile Shillong Bench of the Gauhati High Court) or in the District Court under the jurisdiction of the High Court of Meghalaya; or Specialized Tribunals.

(ii) Ten years combined standing as an Advocate and as a District and Sessions Judge or as a Judicial Member of any Tribunal in the State of Meghalaya.

(iii) Has appeared and actually argued in reported cases, save, if the applicant seeking to be designated as a Senior Advocate is practicing primarily in any District Court under the jurisdiction of the High Court of Meghalaya, the requirement as specified in this sub-clause may be relaxed.

#### **4. Motion for designation as Senior Advocate.-**

(1) Designation of an Advocate as Senior Advocate by the High Court of Meghalaya may be considered on the written application of the Advocate concerned that shall be made in the Form appended at **Annexure- A** to these Rules.

(2) The Advocate concerned shall append to his/her application form the declaration certificate as at **Annexure- B**.

(3) Notwithstanding the afore-stated procedure for designation of an Advocate as Senior Advocate, the Full Court may, by consensus, confer the designation of Senior Advocate, suo motu, on any Advocate, otherwise eligible, if in the opinion of the Full Court, he/she by virtue of his/her ability or standing at the bar, is an Advocate of exceptional quality, eminence and has special expertise in any field of law.

**5. Permanent Committee for Designation of Senior Advocates.-** (1) All the matters relating to designation of Senior Advocate in the High Court of Meghalaya shall be dealt with by a Permanent Committee (to be known as "Committee for Designation of Senior Advocates") which will be headed by the Chief Justice and consist of: (i) two senior-most sitting Judges of the High Court of Meghalaya; (ii) the Advocate General of the State of

Meghalaya; and (iii) a member of the High Court of Meghalaya Bar Association, to be nominated by other members in the first meeting of the Committee.

(2) The Committee constituted under sub-rule (1) above shall have a Secretariat, the composition of which will be decided by the Chief Justice of the High Court of Meghalaya in consultation with the other members of the Committee.

(3) The Committee may issue such directions from time to time as deemed necessary as regards functioning of the Secretariat, including the manner in which, and the source(s) from which, the necessary data and information are to be collected, compiled and presented.

**6. Notice.-** A notice inviting applications from Advocates shall be published in the official websites of the High Court. In addition, intimation may also be given to the Bar Council; Bar Associations of the High Court; the Bar Associations in the State.

**7. Procedure for designation.-** (1) All the applications for designation of an Advocate as Senior Advocate shall be submitted to the Secretariat as per Form at Annexure-A and specified in the notice issued by the High Court under Rule 6.

(2) On receipt of any application for designation of an Advocate as Senior Advocate, the Secretariat shall compile the relevant data and information with regard to the reputation, conduct, integrity of the Advocate concerned, from such source(s), as may be decided by the Committee; verify the details regarding the applicants participation in pro-bono work, if any, and reported judgments in which the concerned Advocate has appeared and actually argued.

(3) The Secretariat will publish the application for designation of a particular Advocate as Senior Advocate in the official website of the High Court of Meghalaya, inviting the suggestions/views of the members of the Bar and other stakeholders in the matter within such time as may be directed by the Committee. The Committee can call for suggestions/views of the District Judge or Head of the Tribunal on the applicant Advocates who are practicing in the District Court or the Tribunal

(4) After the data-base in terms of the above is compiled and all such information as may be specifically directed by the Committee to be obtained in respect of any particular applicant is collected; and the suggestions/views of the member of the Bar and other stakeholders have been received, the Secretariat shall put up the valid applications before the Committee.

(5) Upon submission of the matter by the Secretariat, the Committee shall examine the same in the light of the data provided and submit the list of recommended applicants before the Full Court for consideration.

(6) The Full Court will examine each application in the light of the data provided by the Secretariat and make its overall assessment on the basis of ability, standing at the Bar or special knowledge or experience in law of the candidates as per sub-rule (1) of Rule 3.

(7) The decision-making on designation of Advocates will be by consensus. However, if that is not possible, the decision will be made on the basis of majority view. Voting by secret ballot will be resorted to in an exceptional situation, for reasons to be recorded.

(8) On the approval of the Full Court, an Advocate shall be designated as Senior Advocate and the final decision taken by the Full Court shall be individually communicated to all the applicants.

(9) All cases which are not favourably considered by the Full Court shall be reviewed/reconsidered after the expiry of two years from the date of the decisions of the Full Court by following the procedure applicable at that time.

(10) All cases deferred by the Full Court for being designated as Senior Advocate shall not be considered until the expiry of one year from the date of the decision of the Full Court.

(11) In the cases which are not favourably considered or deferred by the Full Court, the Advocate may apply afresh in terms of the procedure applicable on the date of the fresh application.

**8. Records relating to designation/revocation/recalling/withdrawal.-** The records of all decisions relating to designation/revocation/recalling/withdrawal, received from the Full Court, shall be maintained by the Permanent Secretariat of the High Court for further reference.

**9. Restrictions on the designated Senior Advocate.-** An Advocate on being designated as Senior Advocate shall be subject to such restrictions as the High Court of Meghalaya, the Bar Council of India, or the Bar Council of the State of Meghalaya may prescribe.

**10. Rights and Privileges of the Senior Advocate.-** (1) The Senior Advocate shall have a preferential right of audience, at the time of hearing a matter; in all Courts according to his/her seniority as such Advocate.

(ii) The Senior Advocate shall be entitled to wear special robes meant for Senior Advocates.

(iii) The Senior Advocate shall be entitled to such other rights and privileges conferred by the practice of Senior Advocates under the Advocates Act, 1961.

**11. Canvassing.**- Canvassing in any manner by an applicant for designation as Senior Advocate shall disqualify him/her from being so considered or designated for the next two years.

**12. Review and recall.**- In the event of a Senior Advocate being guilty of any such conduct which according to the Full Court disentitles him to be worthy of designation as Senior Advocate, the Full Court may review and recall its decision to designate the concerned person as Senior Advocate after such notice as may be directed by the Chief Justice.

**13. Notification of designation/recall.**- In the event of designation of an Advocate as a Senior Advocate, or on recalling of any such designation, the notification to that effect shall be issued and published in such manner as may be directed by the Chief Justice.

**14. Interpretation.**- All the questions relating to the interpretation of these rules shall be referred to the Chief Justice of the High Court whose decision shall be final. The Chief Justice may issue directions for the removal of difficulties either in general terms or in a particular instance as the exigencies may require.

**15. Repeal and Saving.**- (1) All the previous Rules in respect to the subject matter covered by these Rules, including the Guidelines for Designating an Advocate as Senior Advocate, as made by the High Court of Meghalaya on 17.12.2013 and High Court of Meghalaya (Designation of Senior Advocate) Rules, 2017 dated 21.11.2017 with all its amendments/modifications, shall stand repealed.

(2) Notwithstanding the repeal of the rules referred to in sub-rule (1) above, it shall not effect-

(a) Any action taken, notification published, designation conferred under the rules so repealed

(b) Any inquiry, legal proceedings or remedy in respect of any such rights, privilege, obligation & forfeiture conferred under the rules so repealed.

By Order,

  
**REGISTRAR GENERAL**

ANNEXURE – AAPPLICATION FORM FOR DESIGNATION OF SENIOR ADVOCATE

Recent passport size colour photograph to be pasted here
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1. Name of the Applicant :
2. Permanent Residential Address  
and mobile number of the Applicant :
3. Email Address :
4. Educational Qualification :
5. Date of Birth :
6. Date of enrolment as an Advocate  
and where enrolled :
7. Enrolment Number :
8. Submission of five best synopses  
by the Advocate :

[**Explanation:** The term “Synopses” means summary of legal case, outlining essential facts, procedural history, legal issues, arguments etc. required for Court filing and review.]

9. Courts/Tribunals where the applicant is  
practicing/has practiced :
10. Nature of practice-  
(Civil, Criminal, Constitutional, Taxation, Labour, Company, Service etc.) :
11. Field of Law-domain expertise  
(Such as, Constitutional Law, Criminal Law, Civil Law, Family Law, Law relating to Women, Human Rights, Public Interest Litigation, Arbitration Law, Corporate Law, International Law etc.,) :
12. Whether any FIR has ever been lodged against the applicant, if so, detailed current status thereof may be indicated.
13. Whether the applicant is a party to any criminal case, if so, detailed current status thereof may be indicated.

14. Whether any proceedings were initiated or are pending against the applicant before Bar Council of India or any State Bar Council, if so, detailed current status thereof may be indicated.
15. For applicants practicing in the High Court:
  - (i) Number of reported judgments in cases the applicant has appeared (copies of any 5 (five) such judgments may be submitted).
  - (ii) Number of unreported judgments in cases the applicant has appeared (copies of any 5 (five) such judgments may be submitted).
16. For applicants practicing in the trial courts/Specialized tribunals:
  - (i) Number of judgments in which the applicant has appeared (copies of any 10 (ten) judgments may be submitted).
17. Numbers of Junior Advocates the applicant has mentored till the date of the Application.
18. Other information: Work performed as Legal Aid Counsel/ Pro bono/ Amicus Curiae/ any articles/publications relating to legal matters/participation in Seminar or Conference/Association with any Faculty of Law etc.
19. General state of health of the applicant.

**I, the undersigned Advocate, practicing in the State of Meghalaya, submit my application for being designated as Senior Advocate and state my consent to be so designated by the High Court of Meghalaya.**

Date:

Place:

**SIGNATURE OF THE APPLICANT**

**ANNEXURE - B****DECLARATION**

I, \_\_\_\_\_, Advocate, practicing in the \_\_\_\_\_ (mention the court where the applicant is practicing) do hereby declare that the information furnished above are true and correct to the best of my knowledge and belief.

- (i) No material information is concealed or suppressed.
- (ii) No recommendation/application to designate me as a Senior Advocate has been rejected by the Supreme Court of India, High Court of Meghalaya and any other High Court of India, within two years immediately preceding the date of submission of this application.
- (iii) No recommendation/application to designate me as a Senior Advocate has been deferred by the Supreme Court of India, High Court of Meghalaya and any other High Court of India within one year immediately preceding the date of submission of the application.
- (iv) I am aware that furnishing false information or suppressing false information would be a ground for withholding the designation of Senior Advocate by the High Court.
- (v) On conferring the designation of Senior Advocate, I shall abide by the High Court of Meghalaya (Designation of Senior Advocate) Rules, 2026.

Date:

Place:

**SIGNATURE OF THE APPLICANT**

**Memo. No. HCM.II/112/2017-Estt/19-A Dated Shillong the 22<sup>nd</sup> May, 2026**

Copy to :-

1. The Registrar and PPS to Hon'ble the Chief Justice, High Court of Meghalaya, Shillong for her Ladyship's kind information.
2. The P.S to Hon'ble Mr. Justice H.S. Thangkhiew, Judge, High Court of Meghalaya, Shillong for favour of kind information of His Lordship.
3. The P.S to Hon'ble Mr. Justice W. Diengdoh, Judge, High Court of Meghalaya, Shillong for favour of kind information of His Lordship.
4. The P.S to Hon'ble Mr. Justice B. Bhattacharjee, Judge, High Court of Meghalaya, Shillong for favour of kind information of His Lordship.
5. The Secretary General, Supreme Court of India, New Delhi.
6. The P.S. to Advocate General, Government of Meghalaya.
7. The Additional Advocate Generals, Government of Meghalaya.
8. All District & Sessions Judges, Meghalaya.
9. The Secretary, Meghalaya Bar Council.
10. The President/Secretary, High Court of Meghalaya Bar Association, Shillong.
11. The President/Secretary, all District Bar Associations, Meghalaya.
12. The Librarian-cum-Research Officer, High Court of Meghalaya, Shillong.
- ✓ 13. The Systems Analyst, High Court of Meghalaya, Shillong for uploading the same on the official website.
14. The Director, Printing and Stationery, Meghalaya Government Press with a request to publish this notification in the next issue of the Gazette.
15. Office file.

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**REGISTRAR GENERAL**