

THE HIGH COURT OF MEGHALAYA SHILLONG

NOTIFICATION

Dated, Shillong, 20th June, 2023

No.HCM.II/430/Pt./2013/Estt/21- In pursuance of the Hon'ble Supreme Court's judgment dated 12.05.2023 in M.A. No.709/2022 etc., in Writ Petition (Civil) No. 454 of 2015 and in exercise of powers conferred under Rule 7 (C) (15) of the Rules of High Court of Meghalaya, 2013, the High Court of Meghalaya, vide its Full Court resolution dated 12th June, 2023, is pleased to amend the High Court of Meghalaya (Designation of Senior Advocate) Rules, 2017, as under:-

Short title and Commencement: (1) These Rules may be called the "High Court of Meghalaya (Designation of Senior Advocate) Rules (Second Amendment) Rules, 2023.

(2) They shall come into force with immediate effect.

Amendment of Rule 3 (2) (i)

In Rule 3 (2) (i), after the line "...subordinate to the High Court of Meghalaya;" the following words shall be inserted- "*or Specialized Tribunals.*".

Amendment of Rule 4 :

(1) After Rule 4(3), a clause shall be inserted with the following lines- "*(4). The Full Court may exercise suo motu designation of Senior Advocates in case(s) of exceptional and eminent advocates through a consensus by the Full Court*".

Amendment of Rule 4 (1) :

(1) In Rule 4 (1), after the line "...to be designated as Senior Advocate", the following line shall be inserted- "*Candidates are permitted to submit five of their best synopses for evaluation with their applications.*".

Amendment of Rule 4 (2) :

(1) In Rule 4 (2), after the line "...appended to these Rules.", the following line shall be inserted- "*Candidates are permitted to submit five of their best synopses for evaluation with their applications.*".

Amendment of Rule 6 (5):

In Rule 6 (5) sub-clauses (i) and (ii) shall be added as follows:-

(1) Sub-clause (i) shall be the following lines- *"Upon submission of the case by the Secretariat, the Committee shall examine the same in the light of the data provided and shall interview the concerned Advocate; and shall, thereafter, make its overall assessment on the basis of the point-based format provided in Appended-B appended to these Rules".*

(2) Sub-clause (ii) shall be the following lines- *"The number of candidates shortlisted for interviews will be in appropriate amount as deemed feasible by the Permanent Committee, keeping in mind the number of Senior Advocates to be designated at a given time".*

Amendment of Rule 6 (7):

(1) After the word "choice", the following line shall be inserted-

"In such case the reason for the same shall be recorded".

Amendment of Appendix-A, SI. No. 8 of Form No.1 and Form No.2 :

(1) The particulars in Appendix-A of Form No.1 and Form No.2, shall be modified to include the following:-

(a) **SI. No. 8** shall be substituted with the following particular- *"Submission of five best synopses by the Advocate :"*

(b) **SI. No. 9** shall be the following particulars- *"Other information, if any, including reported cases, legal aid work/publication/participation in Seminar or Conference/association with any Faculty of Law etc.:"*

Amendment of Appendix-B SI.No. 1 :

(1) In Appendix-B at SI.No. 1, the sentence "[10 points for 10-20 years of practice;]", shall be substituted with *"For Advocates/Counsel who has put in between 10-20 years of practice, the marks to be allocated commensurate with the standing of the person at the Bar, that is, one mark each shall be allocated for every year of practice between 10-20 years;"*

Amendment of Appendix-B Sl.No. 2 : (1) In Appendix-B at Sl.No.2, under the heading 'Points', the words "40 points", as appearing therein, shall be substituted by the words "50 points".

Appendix-B Sl.No. 3 : (1) In Appendix-B at Sl.No.3, under the heading 'Points', the words "15 points", as appearing therein, shall be substituted by the words "5 points".

REGISTRAR GENERAL

Memo. No.HCM.II/430/Pt./2013/Estt/21-A

Dated 20th June, 2023

Copy to:

1. The Registrar-cum-Principal Private Secretary to the Hon'ble, the Chief Justice, High Court of Meghalaya, Shillong for favour of His Lordship's kind information.
2. The P.S to Hon'ble Mr. Justice H.S.Thangkhiew, Judge, High Court of Meghalaya, Shillong for favour of His Lordship's kind information.
3. The P.S to Hon'ble Mr. Justice, W. Diengdoh, Judge, High Court of Meghalaya, Shillong for favour of His Lordship's kind information.
4. The Secretary General, Supreme Court of India, New Delhi.
5. The President/Secretary, Bar Council of India, New Delhi.
6. The P.S. to the Advocate General of Meghalaya, Shillong.
7. The Registrar (Judicial Service), High Court of Meghalaya, Shillong.
8. The Joint Registrar (Listing)-cum-OSD to the Hon'ble the Chief Justice, High Court of Meghalaya, Shillong.
9. Shri.K.S.Kynjing, Senior Advocate, High Court of Meghalaya, Shillong.
10. The Additional Advocate General(s) of Meghalaya, Shillong.
11. The President/ Secretary, Meghalaya High Court Bar Association, Shillong.
12. The President/ Secretary, all District Bar Associations.
13. The Librarian-cum-Research Officer, High Court of Meghalaya, Shillong for information and necessary action.
- ✓ 14. The Systems Analyst, High Court of Meghalaya, Shillong for uploading the same on the official website.
15. The Director, Printing and Stationery, Meghalaya Government with a request to publish this notification in the next issue of the Gazette.
16. Office file.

REGISTRAR GENERAL

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20/6/23