



**GENERAL SECRETARY'S REPORT ON  
THE WORKING OF THE BAR ASSOCIATION OF  
INDIA FROM APRIL 1961 TO MARCH 1962**

The Bar Association of India was registered under the Societies Registration Act XXI of 1860 on the 25th September, 1959. It is now running in its third year.

**The Advocates Act 1961**

The most important event that has happened during the last year is the coming into force of the Advocates Act 1961 (Act 25 of 1961).

The Advocates Act is designed to create a unified bar throughout India, with autonomous Bar Councils having powers to admit and enroll advocates and to take disciplinary proceedings against them. There will be a common roll of advocates who will now be entitled to practise in all courts throughout the territory of India including the Supreme Court. Thus one of the objectives of the Bar Association of India, namely, "to bring about a unified Indian Bar with a common roll of advocates and with a right to practise in all the courts in the country", has been fulfilled.

A question is often asked : What then is the utility of the continuance of the Bar Association of India after the State Bar Councils, have come into existence? As explained by our President, Shri. M. C. Setalvad, Attorney-General for India, the Bar Association of India has been formed with objects which are wider and in several respects have a different field of operation than the official Bar Councils. "Not only is the Bar Association of India concerned with promoting in a variety of ways the interests of the profession ; it also aims at furthering the proper administration of justice and the maintenance of the rule of law. The upholding of the Constitution of India with its representative, free and democratic form of Government is another of its main purposes. The promotion of the science of jurisprudence and encouragement and conduct of research in legal and allied fields is also its objective. One of its important concerns is the reform of law and the healthy development of law suitable to the social, economic and other needs of the people. The Association is to apply its knowledge and experience in the field of law to the promotion of the public good. It aims at taking measures for the promotion of free legal aid and the establishment and maintenance of a system of prompt and efficient legal advice to persons who have not



the means to pay for it. Furthering the interests of the Bar as a whole by promoting unity and solidarity among the members of the profession is one of its principal objects. In furthering the interests of the profession it aims at "good relations and co-operation between the Bar and the Bench, between the Bar and the public, and between the Indian Bar and lawyers of other countries. For this purpose it proposes to work in co-operation with other societies, institutions and organisations, national and international, and to send delegations to national or international conferences and to hold conferences or seminars. It considers that one of its cardinal duties is to help members of the Bar in straitened circumstances by taking measures to provide financial aid to them and to members of their families on their death.

"It is obvious that the Bar Association of India with its comprehensive objects can serve as a powerful auxiliary to the statutory bodies created by the Advocates Act and with the active co-operation of the Bar in India it can become the representative and authoritative spokesman of the profession and a powerful organisation operating in numerous fields outside the scope of the statutory bodies."

#### Membership

At the end of March, 1961, there were only 397 members. At the end of March, 1962 the membership of the Association stands as follows:—

1. Founder Members	84
2. Life Members	4
3. Ordinary Members	753
4. Corporate Members	11
5. Subscriber Members	17

Total 869

Though the increase in the number of members is encouraging it is far from satisfying. We have no doubt that membership will go on increasing year by year according as the members of the Bar realise the usefulness of the work that is being done by the Association.

#### Code of Ethics for the Bar

The most important work which the Association did during the year under review was the promulgation of a Code of Ethics for the Bar. A draft of the Code was prepared by the undersigned after a study of all the material available for the Code, Indian, British and American. The draft was revised by a committee consisting of Dr. K. M. Munshi, Shri S. T. Desai, Shri B. R. L. Iyengar and the undersigned. The



revised draft was then circulated to the various Bar Associations of India and to the members of the Association. A seminar was then held on the 15th and 16th of April, 1961 at New Delhi. The seminar was inaugurated by Dr. Radha Binod Pal who delivered a thought-provoking address. Shri M. C. Setalvad, Attorney-General for India, presided over the deliberations and conducted the proceedings. His inspiring speech has been reported in the "Indian Advocate", the journal of the Association. The seminar was attended by delegates from all parts of India and the participants made valuable contributions to the discussions.

Another drafting Committee then further revised the draft Code in the light of the suggestions made at the seminar. This revised draft was then again circulated among the members of the Bar in India for eliciting opinions thereon. The Drafting Committee again revised the draft Code in the light of the suggestions thus received. The Executive Committee further considered it and after these various revisions the Code of Professional Ethics was duly promulgated in the public at a press conference held on the 15th of January, 1962. The Code has been published in the second number of the first volume of the "Indian Advocate". The Code has been in demand since then not only amongst the various legal bodies in India but also in foreign countries. Though the Code of Ethics as promulgated by the Association has no legal force, it will serve as a useful guide for the official Bar Council of India when it proceeds to frame a Code in fulfilment of one of its objects "of laying down standards of professional conduct and etiquette for advocates" (Section 7 (b) of "the Advocates Act").

The press conference held in connection with the publication of the Code of Ethics was addressed by Shri M. C. Setalvad, Attorney-General for India, Shri C. K. Daphtary, Solicitor-General of India and the undersigned.

#### The Journal

The Association has published so far three issues of its quarterly Journal, "The Indian Advocate". The Journal gives Bar news and a resume of the Parliamentary Legislation. It publishes learned articles on subjects concerning law and the lawyers. The Journal has an Editorial Board consisting of the following :

Shri M. C. Setalvad	—Chairman
Shri C. K. Daphtary	—Editor
Dr. V. A. Sayied Muhammed	—Joint Editor
Malik Arjan Das	—Asstt. Editor and Manager



### Members

1. Shri H. N. Sanyal
2. Dr. C. B. Agarwala
3. Shri N. C. Chatterjee
4. Dr. K. M. Munshi
5. Shri S. T. Desai
6. Shri S. C. Agarwal
7. Dr. A. T. Markose
8. Prof. Alexandrowicz
9. Dr. V. D. Mahajan
10. Shri A. N. Sinha
11. Sri B. R. L. Iyengar

The Journal has made its mark in the legal world. It is being supplied to various legal and governmental bodies in India and abroad.

### Lectures

Since last year the Association has organised a series of lectures on the laws and constitutions of various countries of the world. Lectures on the Constitutions of America, Poland, Iraq and Switzerland were delivered up to March, 1961. Since then the following lectures have been delivered :

1. By His Excellency Mr. Arthur G. Campbell, Acting High Commissioner, Canada, on 15-3-62, on the Constitution of Canada.
2. By His Excellency Mr. Gyy Powles, High Commissioner of New Zealand on 27-3-1962, on the Constitution of New Zealand.

Besides these, the following lectures were delivered :

3. By Shri M. C. Setalvad, Attorney-General for India on "My Impressions on Law and Justice in the Soviet Union" on 26-7-1961.
4. By Professor W. Friedmann, Director, International Legal Research, Columbia University, on "Legal Education and Professional Standards", on 19-1-1962.

### Legal Aid to the Poor Litigants and the Problems of the Junior Section of the Bar

The Association is currently engaged in preparing a Working Paper on Legal Aid to the poor litigants. A draft of the Working Paper has already been prepared by Shri N. S. Bindra, Senior Advocate of the Supreme Court of India, and it is being considered by a Sub-Committee consisting of Shri C. K. Daphtary, Shri N. C. Chatterjee, Dr. V. A. Sayied Muhammed, Shri B. R. L. Iyengar, Shri N. S. Bindra,



Malik Arjan Das and the undersigned. A seminar is proposed to be held shortly on the subject.

The Association is also studying the problems confronting the junior members of the Bar. The undersigned has drafted a questionnaire on the various aspects of the subject and the same will be circulated to all the members of the Association, and other important bodies and persons for their opinions and suggestions, and thereafter a working paper will be prepared and placed before a seminar for discussion. This will be a very important subject for the members of the profession and it is hoped that the Bar will take a keen interest in solving the problems that face them in the exercise of their profession.

#### **Income and Expenditure**

The Income and Expenditure Statement for the year, January to December 1961, is given in Appendix I. From the statement it will be seen that the income during the year was Rs. 10,261.85 nP. and the expenditure was Rs. 8850.75 nP. leaving a balance of Rs. 1411.10 nP. as excess of income over expenditure during the year. The balance in hand on 1st January 1961 was Rs. 18,390.68 nP. By adding Rs. 1411.10 nP. to the savings of the year 1961, the balance in hand on 1st of January, 1962 was Rs. 19,801.78 nP. The statement of accounts shows a liability for the expenses of printing the second number of the first volume of the Journal of the Association as Rs. 2770.81 nP. This amount has now been reduced and has since been paid.

#### **Home for the Association**

The Association has no building of its own. It continues to function from Room No. 20 in the Supreme Court of India Building allotted to the Association by the Hon'ble Chief Justice of India to whom we are extremely grateful.

#### **Governing Council**

The Annual General Meeting of the Governing Council was held on 16th April, 1961 in the Bharatiya Vidhya Bhavan, Curzon Road, New Delhi. Shri M.C. Setalvad, Attorney-General for India presided. The names of the members of the Governing Council with its office bearers elected at the annual general meeting are given in Appendix II.

I take this opportunity to place on record my sincere thanks to Shri G. Vasantha Pai, Advocate, Madras, Shri V. L. Narasimhamurthy, Advocate, Bangalore, Shri I. M. Lall, Shri N. S. Bindra, Shri Naunit Lal, and Mrs. Elluri Udaya Ratnam, Advocates, Supreme Court of India and Shri K. S. Mathur, Advocate, Moradabad who



have rendered great assistance in the enrollment of members. In this regard I must pay special compliments to Shri G. Vasantha Pai who went round to various States for the purpose of enrolling members and secured an enrolment of more than 250 members.

I am also grateful to Dr. V. A. Seyied Muhammed and Shri B. R. L. Iyengar for rendering great assistance in the revision of the draft of the Code of Ethics and in the holding of the Press Conference. I am also grateful to Malik Arjan Das for looking after the office work of the Association and proof-reading, publication and printing of the Journal.

The following members gave donations to meet the expenses of the Seminar held in April last year :

1. Shri C. K. Daphtary	Rs. 200
2. Shri H. N. Sanyal	Rs. 200
3. Dr. K. M. Munshi	Rs. 100
4. Dr. Tara Chand Mathur	Rs. 100
5. Shri Naunit Lal	Rs. 100
6. Dr. C. B. Agarwala	Rs. 100
7. Shri R. S. Narula	Rs. 100
8. Shri I. M. Lall	Rs. 50
9. Shri S. S. Shukla	Rs. 50
10. Dr. V. D. Mahajan	Rs. 50
11. Shri N. S. Bindra	Rs. 50

I offer my thanks to all these gentlemen (except of course, to myself).

I thank the following gentlemen for providing refreshments and giving at Homes to the participants in the Seminar.

1. Dr. K. M. Munshi
2. Shri M. C. Setalvad
3. Shri N. C. Chatterjee

I thank also the following members for meeting the expenses of, and standing as hosts on the occasion of the At Homes given in honour of the various lecturers who delivered lectures during the course of the year under report :

1. Shri M. C. Setalvad, Attorney-General for India
2. Shri N. C. Chatterjee, Senior Advocate, Supreme Court.
3. Shri Naunit Lal, Advocate, Supreme Court.



I wonder whether it will not be presumptuous on my part to thank Shri M. C. Setalvad, our President, under whose inspiring leadership the Association is functioning, Shri C. K. Daphtary who carries on his broad shoulders the burden of editing the Journal (always a heavy burden, as it is difficult to get people to write articles) and Shri N. C. Chatterjee, who takes care as Treasurer of the life blood—the funds—of the Association.

Yours faithfully,

Sd. C. B. Agarwala



**Appendix I**

**THE BAR ASSOCIATION**

Balance Sheet as at

S. VAIDYANATH AIYAR & Co.

Chartered Accountants

**LIABILITIES**

**GENERAL FUND.**

As per last Balance Sheet. 18,390.68

Add :—Excess of Income over  
Expenditure during the  
year, as per annexed  
account.

1,411.10

19,801.78

**CURRENT LIABILITIES.**

Liability for expenses. 2,770.81

Subscriptions received in  
advance.

40.00

2,810.81

Examined and found correct.

New Delhi,  
March, 1962.

Chartered Accountants.

Total Rs. 22,612.59



**OF INDIA, NEW DELHI.**

31st December, 1961.

**ASSETS****FIXED ASSETS.***Furniture.*

Cost as per last Balance sheet.	742.07		
<i>Less</i> Depreciation :			
Up to 31st Decr. 1960.	19.00		
For the year	43.40	62.40	679.67

*TYPEWRITER.*

Cost as per last Balance sheet.	813.20		
<i>Less</i> Depreciation :			
Up to 31st Decr. 1960.	60.00		
For the year.	56.00	116.00	697.20

*BICYCLE.*

Purchased during the year.	186.00		
<i>Less</i> Depreciation for the year.	10.00	176.00	

*REFERENCE BOOKS.*

Purchased during the year.	10.20	1,563.07	
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*Current Assets*

(Unsecured. Considered Good).

Subscription outstanding.	390.00		
Advance to staff.	20.00	410.00	

*Cash & Bank Balances.*

Cash and stamps in hand.	69.15		
With United Commercial Bank Ltd., New Delhi.			
In Current a/c	5,490.27		
In Fixed Deposit	15,000.00		
Interest incurred on deposit	80.10	20,639.52	21,049.52

**Total Rs. 22,612.59**



**THE BAR ASSOCIATION**

**Income and Expenditure Account for the**

**S. VAIDYANATH AIYAR & Co.**

Chartered Accountants.

*Expenditure.*

<b>TO ESTABLISHMENT</b>	1,384.66
„ <b>Printing and Stationery</b>	806.25
„ <b>Printing charges for 1st and 2nd issues of Journal (Including Postage thereon)</b>	3,876.46
„ <b>Postage</b>	581.77
„ <b>Conveyance and Travelling</b>	246.87
„ <b>Expenses on Seminar</b>	1,252.56
„ <b>Honorarium to Auditors (for 1960 and 1961 a/cs)</b>	200.00
„ <b>Bank Charges</b>	50.75
„ <b>Depreciation</b>	109.40
„ <b>Unrecoverable subscription written off</b>	10.00
„ <b>Miscellaneous expenses</b>	332.03
„ <b>Balance : being Excess of Income over Expenditure during the year carried to Balance Sheet</b>	1,411.10
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<b>Total Rs.</b>	<b>10,261.85</b>
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New Delhi,  
March, 1962.

Chartered Accountants.



**OF INDIA, NEW DELHI.**

**Year Ended 31st December, 1961.**

	<i>Income</i>	
By Donations		1,100.00
„ Subscriptions :		
Ordinary Members	7,054.00	
Corporate Members	475.00	
Life Members	1,200.00	
	<hr/>	8,729.00
„ Interest		432.85

**Total Rs. 10,261.85**



**Appendix II.**

**NAMES OF THE MEMBERS OF THE  
SECOND GOVERNING COUNCIL**

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|---|---|
| *1. Shri I.M. Lall,<br>Advocate, Supreme Court,<br>New Delhi.               | Elected from the Union<br>Territory of India.                             |
| 2. Shri Rai Suraj Bhan,<br>Advocate, New Delhi.                             | Elected by the District Court<br>Bar Association of Union<br>Territories. |
| *3. Shri R.P. Mookerjee,<br>Sr. Advocate, Calcutta.                         | Elected from the State of<br>West Bengal.                                 |
| *4. Shri Bal Raj Trikha,<br>Advocate, Meerut.                               | Elected from the State of<br>Uttar Pradesh.                               |
| *5. Shri V.L. Narasimhamur-<br>thy,<br>Advocate, Bangalore.                 | Elected from the State of<br>Mysore.                                      |
| *6. Shri G. Vasantha Pai,<br>Advocate, Madras.                              | Elected from the State of<br>Madras.                                      |
| *7. Shri C.L. Agarwal,<br>Advocate, Jodhpur.                                | Elected from the State of<br>Rajasthan.                                   |
| *8. Shri K. Rajah Iyer,<br>President, Provincial Bar<br>Federation, Madras. | Elected by the State Bar<br>Federation, Madras.                           |
| *9. Shri C.R. Pattabhi<br>Raman,<br>Sr. Advocate, New Delhi.                | do  |
| 10. Shri K. Nagarajan,<br>Advocate, Madras.                                 | do  |
| 11. Shri C.P. Kandaswami,<br>Advocate, Coimbatore,<br>Madras State.         | Elected by the District<br>Court Bar Association, State<br>of Madras.     |
| 12. Shri S. Chellaswami,<br>Advocate, Madras.                               | Elected by the High Court<br>Bar Association, Madras.                     |



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| 13. Shri H.J. Umrigar,<br>Advocate, Supreme Court,<br>New Delhi.   | Elected by the Supreme<br>Court Bar Association. |
| 14. Shri S.S. Shukla,<br>Advocate, Supreme Court,<br>New Delhi.  | do   |
| 15. Shri G.C. Mathur,<br>Advocate, Supreme Court,<br>New Delhi.  | do   |
| 16. Shri Naunit Lal,<br>Advocate, Supreme Court,<br>New Delhi.   | Nominated by the President.                      |
| *17. Malik Arjan Das,<br>Advocate, Supreme Court,<br>New Delhi.  | do   |
| *18. Shri N.S. Bindra,<br>Advocate, Supreme Court,<br>New Delhi.   | do   |
| 19. Shri Tara Chand Mathur,<br>Advocate, President, Delhi<br>District Court Bar Associa-<br>tion, Delhi. | do   |
| 20. Dr. V.D. Mahajan,<br>Advocate, Supreme Court,<br>New Delhi.  | do   |
| *21. Shri M.C. Setalvad,<br>Attorney-General for India,<br>New Delhi.                                    | Ex-officio Member.                               |
| *22. Shri C.K. Daphtary,<br>Solicitor-General of India,<br>New Delhi.                                    | do   |
| *23. Shri H.N. Sanyal,<br>Additional Solicitor-Gener-<br>al of India, New Delhi.                         | do   |
| *24. Dr. K.M. Munshi,<br>Bharatiya Vidya Bhavan,<br>Chaupati, Bombay.                                    | do   |



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|---|----|
| *25. Shri N.C. Chatterjee,<br>Senior Advocate,<br>Supreme Court, New Delhi. | do |
| *26. Dr. C.B. Agarwala,<br>Sr. Advocate, Supreme<br>Court, New Delhi.       | do |
| 27. Shri Purshotam Trikam-<br>das,<br>Senior Advocate,<br>New Delhi.        | do |
| 28. Shri P.K. Bose,<br>Advocate, Supreme Court,<br>New Delhi.               | do |

### Appendix III

#### NAMES OF MEMBERS OF THE EXECUTIVE COMMITTEE

Members of the Governing Council against whose names an asterisk mark has been placed in Appendix II are members of the Executive Committee.