

**District Courts' (Allocation of space, construction of Bar building and allotment of Lawyers' Chambers) arrangement/management Rules, 2023.**

**(1) Short title, commencement.-** (i) These rules may be called "District Courts' (Allocation of space, construction of Bar building and allotment of Lawyers' Chambers) arrangement/management Rules, 2023."

(ii) These Rules shall extend to all subordinate courts of State of U.P. and shall come into force with effect from the **18<sup>th</sup> day of November, 2023.**

**(2) Earmarking of Space/Land-** The criteria for earmarking of Space/land for the construction of Bar building shall be as follows:

- (i) In newly created district Courts, Outlying Courts and Gram Nyayalayas where land is being acquired for setting up of the Courts; up-to 1/20<sup>th</sup> of the total land acquired for the purposes of non-residential campus, would be earmarked in the layout plan for construction of Bar building including Advocates' Chambers, Library, Meeting hall, Sheds/halls for clerks & typists, canteen, convenience shops etc., with the approval of Hon'ble Court. The land so earmarked shall be at a reasonable distance from the main Court building with separate boundary wall alongwith CCTV Cameras, separate gates for ingress and egress, with sufficient space for parking of vehicles.
- (ii) In the old campuses of Districts & Outlying Courts, space already allocated to the Bar Association(s) may be utilized for construction of multi-storied buildings for catering the current & future need of Advocates' Chambers, Library, Meeting hall, Sheds/halls for clerks & typists, canteen, convenience shops etc.
- (iii) In the old campuses of Districts & Outlying Courts, vacant land may be earmarked for the use of Bar Association(s) for construction of Bar building including Advocates' Chambers, Library, Meeting hall, Sheds/halls for clerks & typists, canteen, convenience shops etc, after considering the space available in the existing premises and for future

2

expansion of the Judgeships at HQ and outlying Court with the permission of High Court only. No land shall be allotted to any Bar Association either on lease or Licence.

- (iv) In old campuses of Districts & Outlying Courts, old dilapidated building already allocated to Bar Association may also be considered for demolition and construction of multi-storied buildings for Lawyers' Chambers, Library, Meeting hall, Sheds/halls for clerks & typists, canteen, convenience shops etc. and the lease deed in respect of such dilapidated buildings shall not be renewed.

Application for permission for use of land/construction of building, by the Bar Association(s) may be considered for approval by Hon'ble Court as and when any such application is forwarded by the concerned District Judge with due recommendation.

- (v) If any proposal of earmarking of land, is approved by the Hon'ble Court, for construction of Bar building including Advocates' Chambers, Library, Meeting hall, Sheds/halls for clerks & typists, canteen, convenience shops etc, the land shall be demarcated accordingly and there shall be no need for execution of any lease deed.

**(3) Proposal for earmarking of land/plan for construction of Bar building.-** If the Bar Association makes any demand for earmarking of land for construction of Chambers/Meeting Hall/Library etc., the District Judge shall submit the proposal to the High Court, with the following information:-

- (i) The piece of land, if any that can be spared for construction of Advocates' Chambers, Meeting Hall, Library Hall etc. considering the future infrastructural requirement of the Judgeship;
- (ii) The total strength of the Bar, Number of Chambers available, total area (land as well as building) occupied by the Bar Association and number of existing Bar building (with its area), if any;
- (iii) In the event of lack of space, if any, existing site occupied by temporary sheds or structures of Lawyers can be utilized for

2

multi-storied building after demolition of existing structure;

- (iv) Number of green trees standing on the proposed site;
- (v) If the proposed construction is likely to adversely affect the ambiance of the existing buildings;
- (vi) Source of fund from which the construction is proposed;
- (vii) A site plan showing the existing buildings, the site proposed to be earmarked for the use of Bar Association and plan of building which is proposed to be constructed.

**(4) Construction of Bar building.-** To prevent the construction in haphazard manner and for optimum use of space, the following aspects/guidelines may be followed:-

- (i) Construction of proposed Bar building shall only be done after getting the plan and drawing approved by the Hon'ble Court.
- (ii) Construction must be in symmetry with the design of the Court building as far as possible.
- (iii) Proposed Bar building shall be a multi-storied building and must have provision of future expansion and its foundation should be laid accordingly.
- (iv) If the Bar building has provision of more than three floors, then it must have provision of lift and Diesel Generator Set for power back-up.
- (v) The proposed Bar building must have provision for Advocates' Chambers, Library, Meeting hall, separate toilet for ladies and gents on each floor etc. and separate common room for Lady Advocates, if possible.
- (vi) Each chamber shall have a constructed area of 210 sq.ft. (e.g. 14x15 ft.) in all new Court campuses and even in older Judgeships, where space is available, it should be allotted to not less than four Advocates, as far as possible. No chamber shall be constructed with attached toilet.
- (vii) Common hall shall be constructed for the Advocates and in no case they would be allowed to construct either temporary or permanent structure like cubicles etc. In other words, there would be no partition of the common hall in any manner. Only

2

tables and chairs provided therein would be used by the Advocates or their clerks only to meet the clients and not for any other purposes.

- (viii) In the existing Bar buildings, if no land is available for lateral expansion, the Chambers may be constructed on 2<sup>nd</sup> or 3<sup>rd</sup> floor by erecting pillars, subject to technical viability.
- (ix) Construction should be subject to Rules, Regulations and Bylaws of the local body.
- (x) Advocates' Chambers shall be constructed with necessary electricity equipment *i.e.* fan, light, which would be replaced by the Allottee on its own in case of its dysfunctioning. There shall not be provision for air conditioner/heater/blower. Furniture shall be arranged by the Allottee in the Chambers. Fire safety norms should be followed.
- (xi) The name of building, if any, shall be finalized with the written approval of the High Court and shall not be ordinarily given the name of person contributing money/fund.

**(5) Funds for construction of Bar building.-** Following are the sources of fund for construction of Bar building including Advocates' Chambers, Library, Meeting hall, Sheds/halls for clerks & typists, canteen, convenience shops etc.

- (i) Fund provided by the State Government.
- (ii) Fund provided by the U.P Advocate Welfare Fund Trustee Committee.
- (iii) Fund received from Local M.P./M.L.A. Fund.
- (iv) Fund generated by the Bar Association itself, either by contribution from its members or otherwise.

*“notwithstanding the source of the fund for construction of the superstructure; no person shall have any right or claim over superstructure which shall rest exclusively with the Judgeship.”*

**(6) Allotment of Advocates' Chambers.-**

- (i) The allotment of existing, proposed/under construction Lawyers' Chambers shall be done in accordance with the rules/circulars framed by the High Court.
- (ii) Applications shall be invited from the Advocates for

Q

consideration of their eligibility for allotment of Chambers.

- (iii) Eligibility shall be determined on the basis of their date of enrollment in the Bar Council of U.P./respective Bar Association with other criteria as may be determined by the Allotment Committee.
- (iv) The Allotment Committee comprising of the District Judge as Chairman and two senior most Judicial Officers as members, be constituted for the purpose of scrutiny of the application forms and allotment of Chambers to the Advocates.
- (v) Advocates desirous of getting chambers allotted him/her name, shall apply on prescribed format at **Appendix 'A' & 'B'**. All the pending applications and new applications shall be considered by the Allotment Committee. Where any vacancy arises in future, the same procedure shall be adopted by the Allotment Committee.
- (vi) As far as possible there shall be four Advocates in one Chamber of approximately 210 sq. ft. constructed area. Out of them, the senior-most person (having maximum length of practice amongst the allottees) will be Chief Allottee and the remaining three advocates will be Co-allottees.
- (vii) Advocates having more than 20 years practice, shall be given preference in allotment of ground floor chambers.
- (viii) Application for allotment of Chamber shall be supported with requisite demand draft of security money as per categorisation of Districts by the State Government, mentioned at **Appendix 'C'**.

In future, if the State Government re-categorises the Districts, by upgrading/downgrading any district mentioned in the list; security money shall be fixed accordingly.

- (ix) Security money shall be deposited in a separate Saving Bank Account having *Auto Sweep* facility, to be opened in nationalized Bank in the name of "*Allotment of Advocates' Chambers, (name of the concerned district)*" which shall be operated by the concerned District Judge. The transactions from the Saving Bank Account, so opened, will be subject to regular audit by competent authority.



- (x) In case of surrender of Advocate Chamber by the Allottee or vacation of Chamber on account of death/insanity of Allottee, security money may be refunded to him/her or to the nominee by the Allotment Committee, on receiving of Application only.
- (xi) In case of an Advocate whose application is rejected or deferred, he/she shall be entitled for refund of the aforesaid security money on an application moved by him/her.
- (xii) The Advocates who have been allotted permanent Chambers and are in possession thereof, would stand disqualified for the purpose of consideration for fresh allotment of new Chamber except where there is proposal for demolition of existing Chambers and in that case, preference shall be given to them.
- (xiii) In case of vacancy occurring due to death of any allottee, his/her son/daughter shall be accommodated preferably in the same Chamber, if he/she gets place in the Chamber allotment list, as per seniority.
- (xiv) In case, Chamber so allotted is not used by the Allottee for more than 02 years, his/her allotment shall be canceled.
- (xv) The Advocates who are occupying spaces inside the Civil Court premises like tin shed, hut etc., would be considered for allotment of permanent Chamber only in case they provide undertaking, to vacate the said premises/place before an allotment is made in their favour. Possession of the Chamber so allotted, shall be given only after vacation of said premises/place.
- (xvi) The allottee Advocate shall display his/her name plate only on the outer door of the chamber measuring (not more than) 18"x8". Display of name plate/board at any other place in the Bar building or any other place in the Court campus, shall disqualify the allottee Advocate and his/her allotment shall be cancelled by the Allotment Committee, forthwith.
- (xvii) The criteria for allotment would be length of practice and on *first come first get* basis and good record regarding conduct of the prospective Allottee Advocate. An Advocate who has criminal antecedent or against whom criminal case/complaint is pending, his/her application would out-rightly be rejected.



**(xviii)** The Advocate to whom the Chamber is allotted shall ensure that there is no misuse of it, by the Advocates or encroachment of any kind by any anti-social element or an outsider. The Allottee Advocates shall not be permitted to sublet or raise construction either on temporary or permanent basis. They shall also not be permitted to change the nature of the Chamber so allotted to him. In case of violation of such condition, the District Judge/Allotment Committee shall be free to take action against him.

**(7) Maintenance of Bar building-**

**(i)** On request of Bar Association(s), the District Judge concerned would utilize any amount from the Interest received from the saving Bank Account, opened in the name of "*Allotment of Advocates' Chambers, (name of the concerned district)*", subject to the permission of Hon'ble the Administrative Judge of the respective Sessions Division, as per requirement for maintenance of Bar building.

**(ii)** The Bar Association(s) will have to maintain the buildings and the surrounding area and pay local taxes (of all kind) and electricity bills by common meter & recurring expenses of D.G. Set including its' fuel. Permission for installation of air conditioner/heater/blower in the Chamber, shall be sought from the concerned District Judge and all the liability thereof, shall be borne by Allottee(s) and in that case separate electricity meter connection from electricity department shall be obtained by the Allottee.

**(iii)** The allottee Advocates, their clerks and staff shall maintain cleanliness and hygiene in and around the area of the chamber in their occupation and in no case, spitting, littering would be accepted/condoned. In case of any such situation, the Allotment Committee of the judgeship would be at liberty to impose penalty upon the erring Advocate and the money so received would be deposited in the Saving Bank Account opened in the name of "*Allotment of Advocates Chambers, (name of the concerned district)*".

**(8)** The Rules framed above shall be strictly adhered to in all the Judgeships/Civil Courts under the administration of the High Court,



both in case of existing Lawyers' Chambers as well as proposed/under-construction Lawyers' Chambers in Civil Court premises.

**(9) Savings :** Nothing in this rules shall affect the powers of the Chief Justice from issuing any order/guidelines with respect to the matters incidental or ancillary to these rules.

**(10) Rescission :** The previous Rules "Rules/Guidelines regarding allotment of Lawyers' Chambers in the Civil Court premises and all related issues" shall stand rescinded.

9



**Appendix 'A**

PROFORMA FOR APPLICATION FORM FOR THE ALLOTMENT OF  
ADVOCATE CHAMBER AT DISTRICT COURT/OUTLYING COURT/GRAM  
NYAYALAYA.

Self attested  
passport size  
photograph,  
not more than  
six months old

1. Name of the Applicant (in capital letters):.....
2. Gender (M/F):.....
3. Father's/Husband's Name:.....
4. Permanent Address of the Applicant:.....
5. Local Address of the Applicant:.....
6. Date of Birth:.....
7. Phone Number: (Mobile).....
8. Email ID:.....
9. Date/Registration number in Bar Council: .....
10. Date/ Registration number in Bar Association:.....
11. Name of nominee (who will receive the security amount in case of  
death, insanity).....
12. Length of Practice in District Court/Outlying Court, as per the  
date of enrolment with the Bar Association, upto.....  
.....
13. Whether the applicant was allotted any Chamber in the  
District Court/ Outlying Court previously? If yes, details  
thereof .....  
.....
14. Whether any criminal case is pending or he/she has been  
convicted, if yes, details thereof: .....  
.....

**Details of Demand Draft:**

(Drawn in favour of the District Judge, .....payable at  
.....)

2

Demand Draft No.: .....

of Rs. ..../- ,in words (.....) as required.

Issuing Date:.....

Drawn on Bank and Branch: .....

I undertake that the information given above is true. In case any of the information is found to be false or misleading the applicant shall loose his right to allotment and even after allotment, the 'Committee' shall have absolute right to cancel the allotment.

Date:

**Signature of Applicant**

Place:

.....cut here.....cut here.....

**Receipt**

(TO BE FILLED BY APPLICANT)

Received Application from .....

Bar Council Registration number.....

Bar Association Registration number.....

Draft No.....

of Rs. ...., in words (.....)

Issuing Date: .....

Drawn on Bank and Branch:.....

Date:

Received by:

Name:.....

Signature:.....

**APPENDIX-'B'**

**PROFORMA OF AFFIDAVIT**

I, .....S/o,D/o,W/o.....

aged.....and residing at .....

.....

Registration No. in District Bar Association/Outlying Court Bar Association:.....do hereby solemnly affirm & sincerely state on oath as follows:

- 1. that following are the details of Criminal Case(s) against me, (give details of the status of the case(s) at the time of making the application).  
.....
- 2. that guidelines as may be modified from time to time shall be binding on me and I undertake to abide by them and the terms of Allotment.
- 3. that I am not having any Chamber in premises of Civil Court/Collectorate(s) or any other Courts/Tribunal(s) within the limits of District.
- 4. that if any of the guidelines and terms of allotment are violated or any of the information furnished by me is found to be false or any of my act affects my eligibility, my allotment may be cancelled.

**Verification**

The above mentioned facts are true and correct to the best of my knowledge, information & belief and nothing has been concealed by me.

**(Sign of Deponent)**

Solemnly affirmed at .....

Deponent signed before me

on this.....day of .....

Seal of the Notary

and signed his/her name in my presence.



**Appendix-'C'**

**Categorisation of Judgeship for the purpose of deposition of security money-**

**Category 'A'** (security amount ₹20,000)-

Kanpur Nagar, Lucknow, Agra, Varanasi, Allahabad, Bareilly, Gorakhpur, Meerut, G.B. Nagar, Ghaziabad.

**Category 'B'** (security amount ₹15,000)-

Moradabad, Aligarh, Jhansi, Saharanpur, Mathura, Rampur, Mirzapur, Shahjahanpur, Faizabad, Firozabad, Muzaffarnagar, Farrukhabad

**Category 'C'** (security amount ₹10,000)-

Ambedkar Nagar at Akbarpur, Amethi, Amroha, Auraiya, Azamgarh, Baghpat, Bahraich, Ballia, Balrampur, Banda, Barabanki, Basti, Bhadohi at Gyanpur, Bijnor, Budaun, Bulandshahar, Chandauli, Chitrakoot, Deoria, Etah, Etawah, Fatehpur, Ghazipur, Gonda, Hamirpur, Hapur, Hardoi, Hathras, Jalaun at Orai, Jaunpur, Kannauj, Kasganj, Kaushambi, Kushi Nagar at Padrauna, Lakhimpur Kheri, Lalitpur, Maharajganj, Mahoba, Mainpuri, Mau, Pilibhit, Pratapgarh, Raebareli, Ramabai Nagar (Kanpur Dehat), Sambhal at Chandausi, Sant Kabir Nagar, Shamli, Shravasti, Siddharth Nagar, Sitapur, Sonbhadra, Sultanpur, Unnao.

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