

**GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA**

UNSTARRED QUESTION NO:452
ANSWERED ON:25.02.2016
Action against Advocates
Kishore Shri Kaushal

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether the Government/Bar Council of India (BCI) has received any complaint against advocates allegedly accused of extorting/blackmailing his Government official clients even after effecting a mutually agreed settlement between both of his Government official clients;
- (b) if so, the details thereof and the action taken by the Government/BCI against such advocates;
- (c) whether any provisions exist to deal with such errant advocates and if so, the details thereof; and
- (d) if not, the measures taken/being taken by the Government to prevent such instances of extortion/blackmailing by advocates?

Answer

ANSWER

MINISTER OF LAW AND JUSTICE
(SHRI D.V. SADANANDA GOWDA)

(a) and (b) : The Bar Council of India, statutory body under the Advocates Act, 1961, is responsible for regulating conduct of Advocates and has informed that in absence of mentioning of the names of the parties i.e. complainant and Respondent, it is difficult to find details of complaint against the Advocate allegedly accused of extorting/blackmailing his Government official clients.

(c) : The Bar Council of India and the State Bar Councils can take action against the erring Advocate(s) under Section 35 of the Advocates Act, 1961. He can be prosecuted under Section 35 of the Advocates Act, 1961, and can also be awarded punishments of (i) Reprimand, (ii) Suspension of his license and (iii) Removal of his name from roll of the State Bar Council, if it is found that advocate has committed professional misconduct or other misconduct under the provisions of the Advocates Act, 1961.

(d) : Does not arise.