

SIKKIM ADVOCATE ACT,1981

SIKKIM GOVERNMENT EXTRAORDINARY GAZETTE No. 32 PUBLISHED BY AUTHORITY Gangtok, Friday, April 3, 1981 LAW DEPARTMENT GOVERNMENT OF SIKKIM Notification No. 2/LD//81. Dated Gangtok, the 31st March, 1981. The following Act of the Sikkim Legislative Assembly having received the assent of the Governor on 30th day Of March, 1981, is hereby: published for general information. THE SIKKIM ADVOCATES ACT, 1981. ACT NO. 1 OF 1981. AN ACT to provide for appearance of Advocates in different courts in Sikkim. Be it enacted by the Legislature of Sikkim in the Thirty-second Year of the Republic of India as follows 1. 2. 3. (1) This Act may be called the Sikkim Advocates Act, 1981. Short title, extent and commencement. (2) • It extends to the whole of Sikkim. It shall be deemed to have come into force on the 24th day (3) of November, 1980. In this Act, unless the context otherwise requires,— Definitions. (a) (b) (c) (1) (a) (b) "Advocate" means an Advocate entered in any roll under the provisions of the Advocates Act, 1961 (No. 25 of 1961) ; "Court" means the High Court of-Sikkim, and a Court of Civil or Criminal jurisdiction in Sikkim and includes any tribunal, authority or person in Sikkim legally authorised to take evidence; 'proceeding' includes suit, appeal, revision, review, petition, application before any Court. Notwithstanding anything contained in any other law, but Persons who subject to the provisions of this Act, only the following may be allowed classes of persons, shall be entitled to act and plead before to act and plead any Court— in courts. parties to the proceeding; or Advocates. (2) An advocate Government any trade plead before proceedings. (3) Any Court 2 who is a full time employee of any or person 07 is actively associated with business shall not be entitled to act and any Court unless he is a party to the may permit any person not enrolled as 4. an Advocate under. the provisions of the Advocates to appear before it in any particular Act, 1961, case : Provided that no court shall permit any person to appear before it under this sub-section if, there are able grounds to believe (hat he is practising the profession of law. Explanation:— A person may be deemed to be practising the profession Of law even if he appears Without remuneration. (4) Any person who acts and pleads before any Court in contravention of any. provision! of this Act shall be punishable, with, fine which may extend to One thousand rupees. (1) The Sikkim Advocates Ordinance, 1980 (Ordinance Repeal and No. 2 of 1980) is hereby repealed. Saving. (2) Notwithstanding such repeal, anything done or any action taken under the Ordinance so repealed, shall be deemed to have been done on taken under the corresponding provisions of this Act. By Order of the Governor. B.R. PRADHAN; Secretary to the Government of Sikkim; Law Department, F. No. 16 (115)/LD/80. PRINTED AT NE GOVERNMENT PRESS, GANGTOK