

The Andhra Pradesh Advocates' Welfare Fund Act, 1987

Act 33 of 1987

Keyword(s):

Bar Association, Bar Council, Cessation of Practice, Fund, Member of the Fund, Retirement, Stamp, Society, Suspension of Practice

Amendments appended: 19 of 1990, 10 of 1992, 5 of 1994

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THE ANDHRA PRADESH ADVOCATES WELFARE
FUND ACT, 1987.

ACT NO. 33 OF 1987*

[4th August, 1987]

An Act to provide for the constitution of a Welfare Fund for the benefit of advocates in the State of Andhra Pradesh and for matters connected therewith or incidental thereto.

Be it enacted by the Legislative Assembly of the State of Andhra Pradesh in the thirty-eighth Year of the Republic of India, as follows:-

1. (1) This Act may be called the Andhra Pradesh Advocates' Welfare Fund Act, 1987.

Short title,
extent and
commence-
ment.

(2) It extends to the whole of the State of Andhra Pradesh.

*Received the assent of the President on the 23rd July, 1987. For Statement of Objects and Reasons, please see the Andhra Pradesh Gazette, Part IV-A Extraordinary, dated the 6th April, 1987 at page 18.



(3) It shall come into force on such date as the Government may, by notification, appoint.

Definitions.

2. In this Act, unless the context otherwise requires,—

Central Act,
29 of 1961

(a) "advocate" means a person whose name has been entered in the State roll of Advocates prepared and maintained by the Bar Council of Andhra Pradesh under section 17 of the Advocates' Act, 1961 and who is practising as an advocate in the State of Andhra Pradesh;

(b) "Bar Association" means an Association of advocates recognised by the Bar Council under section 13;

Central Act
23 of 1961.

(c) "Bar Council" means the Bar Council of Andhra Pradesh constituted under section 3 of the Advocates' Act, 1961;

(d) "cessation of practice" means removal of the name of an advocate from the State roll maintained by the Bar Council on account of his retirement or on death or on grounds of professional misconduct;

(e) "dependent" means wife, husband, father, mother and unmarried minor children or such of them as exist;

(f) "Fund" means the Andhra Pradesh Advocates' Welfare Fund constituted under section 3;

(g) "Government" means the State Government;

(h) "member of the fund" means an advocate admitted to the benefit of the fund and continuing to be a member thereof under the provisions of this Act;

(i) "notification" means a notification published in the Andhra Pradesh Gazette, and the word "notified" shall be construed accordingly;



(i) "prescribed" means prescribed by rules made under this Act;

(k) "retirement" means stoppage of practice as an advocate for reasons other than joining service or for carrying on any other gainful occupation, communicated to, and recorded by the Bar Council;

(l) "Stamp" means the Andhra Pradesh Welfare Fund Stamp issued by the Government under section 12;

(m) "suspension of practice" means voluntary suspension of practice as an advocate or suspension by the Bar Council for misconduct;

(n) "Welfare Fund Committee" means the Committee established under section 4;

(o) "Vakalat" means a Vakalatnama, memorandum of appearance or by any other document by which an advocate or any other legal practitioner is empowered to appear and plead before any court, tribunal, authority or person.

3. (1) With effect on and from the commencement of this Act the Government shall, by notification constitute a fund to be called the Andhra Pradesh Advocates' Welfare Fund.

(2) There shall be credited to the Fund—

(a) all amounts paid under section 12;

(b) any contribution made by the Bar Council;

(c) any voluntary donation or contribution made to the Fund by the Bar Council of India, any Bar Association, any other association or institution, any advocate or any other person;

(d) any grant made by the Central Government or the State Government to the Fund;



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- (e) any sum borrowed under section 10;
- (f) any profit or dividend received from the Life Insurance Corporation of India in respect of policies of group insurance of the members of the Fund;
- (g) any interest or dividend or other return on any investment made of any part of the Fund;
- (h) all sums collected under section 15 by way of application fees and annual subscriptions and interest thereon.

(3) The sums specified in sub-section (2) shall be paid to, or collected by, such agencies, at such intervals and in such manner, and the accounts of the Fund shall be maintained in such manner, as may be prescribed.

Establishment of Welfare Fund Committee.

4. (1) The Government may, by notification, establish with effect on and from such date as may be specified therein, a committee to be called the Andhra Pradesh Advocates' Welfare Fund Committee.

(2) The Committee shall be a body corporate having perpetual succession and a common seal with power to acquire, hold and dispose of property and shall, by the said name, sue and be sued.

(3) The Committee shall consist of —

(a) The Chairman of the Bar Council who shall be the Chairman of the Welfare Fund Committee, ex-officio;

(b) the Advocate-General of Andhra Pradesh, ex-officio;

(c) the Secretary to Government, Law and Legislative Affairs, ex-officio;

(d) the Secretary to Government, Law (Courts), ex-officio;

(e) the Secretary to Government, Revenue Department, ex-officio;

(f) the Registrar, High Court of Andhra Pradesh, ex-officio;

(g) three members of the Bar Council one from each region of Coastal Andhra, Telangana and Rayalaseema elected by it in the prescribed manner from amongst its members of whom one shall be nominated by the Committee as the Treasurer of the Fund;

(h) the Secretary to the Bar Council who shall be Secretary, ex-officio of the Welfare Fund Committee without voting rights.

(4) A member elected from the Bar Council under clause (g) of sub-section (3) shall hold office for a term of five years or for the duration of his membership in the Bar Council, whichever is less.

5. A member elected under clause (g) of sub-section (3) of section 4 shall be disqualified to be a member of the Committee, and cease to be such member, if he—

Disqualifi-
cations and
removal of
elected
members of
Welfare
Committee.

(a) becomes of unsound mind;

(b) is adjudged insolvent;

(c) is absent without leave of the Committee for more than three consecutive meetings of the Committee;

(d) is a defaulter to the Fund (in case he is a member of the Fund) or has committed breach of trust; or

(e) is convicted by a criminal court for an offence involving moral turpitude, unless such conviction has been set aside.

6. (1) Any member elected under clause (g) of sub-section (3) of section 4 may resign his office by giving three months' notice in writing to the Chairman of the Welfare Fund Committee and on such resignation being accepted by the said Chairman, he shall be deemed to have vacated his office;

Resignation
by elected
member of
the Commit-
tee and
filling up
of casual
vacancies.

(2) Any casual vacancy in the office of a member referred to in sub-section (1) shall be filled up, as soon as may be, and a member so elected to fill such vacancy shall hold office for the residue of the term of his predecessor.

Act of
Committee
not to be
invalidated
by defect,
etc.

7. No act done or proceeding taken under this Act or the rules made thereunder by the Committee shall be invalidated merely by reasons of—

(a) any vacancy or defect in the constitution of the committee; or

(b) any defect or irregularity in the election of any person as a member thereof;

(c) any defect or irregularity in such act or proceeding not affecting the merits of the case.

Vesting and
application
of Fund.

8. The Fund shall vest in and be held and applied by the Committee subject to the provisions, and for the purposes of this Act.

Function
of the
Committee.

9. (1) It shall be the duty of the Committee to administer the Fund

(2) In the administration of the Fund, the committee shall, subject to the provisions of this Act and the rules made thereunder—

(a) hold the amounts and assets belonging to the Fund;

(b) receive applications for admission or re-admission to the Fund, and dispose of such applications within ninety days from the date of receipt thereof;

(c) receive applications from the members of the Fund, their nominees or legal representatives as the case may be, for payment out of the Fund, conduct such enquiry as it deems necessary, for the disposal of such applications, and dispose of the applications within five months from the date of receipt thereof;



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(d) record in the minutes books of the committee its decisions on the application;

(e) pay to the applicants amounts at the rates specified in the Schedule;

(f) maintain such accounts and books and send such periodicals and annual reports to the Government and the Bar Council as may be prescribed;

(g) communicate to the applicants by registered post with acknowledgment due the decisions of the committee in respect of applications for admission or re-admission to the Fund or claims to the benefit of the Fund;

(h) do such other acts as are, or may be, required to be done under this Act and the rules made thereunder.

10. (1) The committee may, with the prior approval of the Bar Council, borrow, from time to time, any sum required for carrying out the purpose of this Act.

Borrowing
and Invest-
ment of
Funds.

(2) The committee shall deposit all moneys and receipts forming part of the Fund in any scheduled bank as defined in the Reserve Bank of India Act, 1934 or invest the same in loans to any corporation owned or controlled by the Central Government or the State Government or in loans floated by the Central Government or the State Government or in any other manner as the Bar Council may, from time to time, direct with the prior approval of the Government.

Central Act
of 1934.

(3) All amounts due and payable under this Act and all expenditure relating to the management and administration of the Fund shall be paid out of the Fund.

(4) The accounts and books maintained by the welfare committee shall be audited annually by a Chartered Accountant appointed by the Bar Council.



(5) The accounts, as certified by the auditor, together with the audit report thereon, shall be forwarded to the Bar Council by the committee and the Bar Council may issue such directions as it deems fit to the committee in respect thereof.

(6) The committee shall comply with the directions issued by the Bar Council under sub-section (5).

Powers
and duties
of Secretary

11. The Secretary of the committee shall—

(a) be the Chief Executive authority of the committee and responsible for carrying out its decisions;

(b) represent the committee in all suits and proceedings for and against the committee;

(c) authenticate by his signature all decisions and instructions of the committee;

(d) operate the bank accounts of the committee jointly with the Treasurer;

(e) convene meetings of the committee and prepare its minutes;

(f) attend the meetings of the committee with all the necessary records and information;

(g) maintain such forms, registers and other records as may be prescribed, from time to time, and do all correspondence relating to the committee;

(h) prepare an annual statement of business transacted by the committee during each financial year; and

(i) do such other acts as may be directed by the committee and the Bar Council.



12. (1) There shall be printed or cause to be printed by the Government in such form and in such manner as may be prescribed by rules, stamp inscribed as "the Andhra Pradesh Advocates' Welfare Fund", each of the value of three rupees.

Andhra
Pradesh
Advocates'
Welfare
Fund Stamp.

(2) Every vakalat filed before any court, authority, tribunal or person shall be affixed with a stamp as specified in sub-section (1) and no vakalat shall be valid or accepted without such stamp.

(3) The person or authority receiving a vakalat with such stamp shall, forthwith effect cancellation of the stamp by punching out the same;

(4) The custody of the stamps printed under this section shall be with the Government and, the supply and sale of stamps shall be effected in such manner as may be prescribed. The proceeds of the stamp duty collected under sub-section (2) reduced by the cost of printing as determined by the Government, after due appropriation by the Legislative Assembly of the State by law shall be credited into the Fund.

17. (1) All associations of advocates in the State of Andhra Pradesh shall be deemed to be associations of advocates within the meaning of clause (a) of section 2 of the Advocates Act, 1961, which, accordingly, shall apply to such associations as if prescribed by section 2 of the said Act, and the Bar Association under this Act.

(2) Every application for recognition by the rules or bye-laws of the association, names and addresses of the office-bearers of the association and an up-to-date list of the members of the association showing the name, address, age, date of enrolment and the ordinary place of practice of such member.

(3) The Bar Council may, after such enquiry as it deems necessary, recognise the association as a Bar



Association and issue a certificate of registration in such form as may be prescribed.

(4) The decision of the Bar Council regarding the recognition and registration of a Bar Association shall be final.

Duties of
Bar Association.

14. (1) Every Bar Association shall, on or before the 15th April of every year, intimate to the Bar Council a list of its members as on the 31st March of that year.

(2) Every Bar Association shall intimate to the Bar Council—

(a) any change of the office-bearers of the association within fifteen days from such change;

(b) any change in the membership including admission and re-admission within thirty days of such change;

(c) the death, retirement or voluntary suspension of practice of any of its members within thirty days from the date of occurrence thereof; and

(d) such other matter as may be required by the Bar Council from time to time.

Membership
of the fund.

15. (1) Every advocate practicing in any court in the State and being a member of a Bar Association recognised by the Bar Council may apply to the committee for admission as a member of the Fund, in such form as may be prescribed.

(2) On receipt of an application under sub-section (1), the committee shall make such enquiry as it deems fit and either admit the applicant to the Fund or for reasons to be recorded in writing reject the application.



Provided that no order rejecting an application shall be passed unless the applicant has been given an opportunity of being heard.

(3) Every applicant shall pay an application fee of one hundred rupees to the account of the committee at the time of admission.

(4) In the event of rejection of the application, the admission fee paid along with the application shall be refunded to the applicant.

(5) Every member shall pay to the Fund annual subscription of rupees fifty where his standing at the bar as an advocate does not exceed fifteen years and rupees one hundred where such standing exceeds fifteen years. Such payment shall be made on or before the 30th June of every year.

(6) Any member who fails to remit the annual subscription for any year before the 31st December of that year shall be liable to be removed from the membership of the Fund.

(7) A person removed from the membership of the Fund under sub-section (6), shall be re-admitted to the fund on payment of the arrears with interest at twelve per cent per annum within one year from the date of removal.

(8) Every member shall, at the time of admission to the membership of the Fund make a nomination conferring on one or more dependents the right to receive the amount which may be due to him from the Fund in the event of his death before the amount has been paid to him.

(9) If a member nominated more than one person under sub-section (8), he shall specify in the nomination the amount or share payable to each of the nominees in such manner as to cover the whole of the amount that may be paid to him.



(10) A member may at any time cancel a nomination by sending a notice in writing to the committee along with a fresh nomination.

(11) Every member who voluntarily suspends practice or retires shall, within three months of such suspension or retirement, intimate that fact to the committee and if any member fails to do so without sufficient reason, the committee may, reduce, in accordance with such principles as may be prescribed, the amount due to that member.

Payment from the fund on cessation of practice.

16. (1) A member of the Fund shall, on cessation of practice, be entitled to receive from and out of the Fund an amount at the rate specified in the Schedule.

(2) In the event of death of a member, the amount shall be paid to his surviving spouse, if there is no nominee, to his legal heirs.

(3) A member of the Fund shall be entitled to receive benefits at any time after the cessation of practice.





(6) An application for payment from the Fund shall be preferred to the committee in such form as may be prescribed.

(7) An application received under sub-section (6), shall be disposed of by the committee after such enquiry as it deems necessary.

17. (1) The interest of any member in the Fund, or the right of a member or his nominee or legal heirs to receive any amount from the Fund, shall not be assigned, alienated or charged and shall not be liable to attachment under any decree or order of any court, tribunal, financial institutions or other authority.

Restriction on alienation, attachment etc., of interest of member in Fund.

(2) No creditor shall be entitled to proceed against the Fund or the interest therein of any member or his nominee or legal heirs.

Explanation.—For the purpose of this section, “creditor” includes the Government or an official assignee or receiver appointed under the Provincial Insolvency Act, 1920 or any other law for the time being in force.

Central Act 5 of 1920.

18. The Welfare Fund Committee may, for the Welfare of the members of the Fund,—

Group Life Insurance for members and other benefits.

(a) obtain from the Life Insurance Corporation of India, policies of Group Insurance for the members of the Fund;

(b) provide for a policy of Provident Fund for the members of the Fund;

(c) provide for medical facilities for the members of the Fund and their spouses; and

(d) provide for such other benefits as may be prescribed.



22. (1) No suit, prosecution or other legal proceeding shall lie against any person for anything which in good faith done or intended to be done in pursuance of this Act or any rule made thereunder.

Protection of action taken in good faith.

(2) No suit or other legal proceedings shall lie against the Committee or the Bar Council for any damage caused or likely to be caused by anything which is in good faith done or intended to be done in pursuance of this Act or any rule made thereunder.

23. No civil court shall have jurisdiction to settle, decide or deal with any question or to determine any matter which is by or under this Act required to be settled, decided or dealt with or to be determined by the Committee or the Bar Council.

Bar of jurisdiction of civil courts.

24. The Committee and the Bar Council shall, for the purposes of any enquiry under this Act, have the same powers as are vested in a civil court while trying a suit under the Code of Civil Procedure, 1908 in respect of the following matters, namely:—

Power to summon witnesses and take evidence. (Control Act 5 of 1908)

(a) enforcing the attendance of any person or examining him on oath;

(b) requiring the discovery and production of documents;

(c) receiving evidence on affidavit;

(d) issuing commissions for the examination of witnesses.

25. The Bar Council may, with the previous approval of the Government, by notification, make rules for the purpose of carrying into effect all or any of the provisions of this Act.

Power of the Bar Council to make rules.

26. (1) The Government may, by notification, make rules for carrying out the purposes of this Act.

Power to make rules.



Meetings of
of the
Committee.

19. (1) The Committee shall meet at least once in three months or more often if found necessary to transact business under this Act or the rules made thereunder.

(2) Five members of the Committee shall form the quorum for a meeting of the Committee.

(3) The Chairman or in his absence, a member elected by the members present at the meeting shall preside over a meeting of the Committee.

(4) Any matter coming up before a meeting of the Committee shall be decided by a majority of the members present and voting at the meeting and, in the case of an equality of votes, the Chairman or the member presiding over the meeting shall have and exercise a casting vote.

Travelling
and daily
allowances
to members
of Commi-
tee.

20. The elected members of the Committee shall be eligible to get such travelling allowance and daily allowance as are admissible to the members of the Bar Council.

Appeal
against de-
cisions of
the
Committee.

21. (1) An appeal against any decision of the Committee shall lie to the Bar Council.

(2) The appeal shall be in the prescribed form and shall be accompanied by—

(a) the order appealed against; and

(b) demand draft for rupees twenty five L in favour of the Bar Council payable at Hyderabad.

(3) The appeal shall be filed within thirty days from the date of communication of the order appealed against.

(4) The decision of the Bar Council on the appeal shall be final.

(2) Every rule made under the Act, shall immediately after it is made, be laid before the Legislative Assembly of the State if it is in session, and if it is not in session, in the session immediately following, for a total period of fourteen days which may be comprised in one session or in two successive sessions and if, before the expiration of the session in which it is so laid or the session immediately following the Legislative Assembly agrees in making any modification in the rule or in the annulment of the rule, the rule shall, from the date on which the modification or annulment is notified, have effect only in such modified form or shall stand annulled, as the case may be; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

THE SCHEDULE

(see sections 9 and 16)

30 years' standing	...	Rs. 30,000
29 years' standing	...	Rs. 29,000
28 years' standing	...	Rs. 28,000
27 years' standing	...	Rs. 27,000
26 years' standing	...	Rs. 26,000
25 years' standing	...	Rs. 25,000
24 years' standing	...	Rs. 24,000
23 years' standing	...	Rs. 23,000
22 years' standing	...	Rs. 22,000
21 years' standing	...	Rs. 21,000
20 years' standing	...	Rs. 20,000
19 years' standing	...	Rs. 19,000
18 years' standing	...	Rs. 18,000
17 years' standing	...	Rs. 17,000
16 years' standing	...	Rs. 16,000



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15 years' standing	...	Rs. 15,000
14 years' standing	...	Rs. 14,000
13 years' standing	...	Rs. 13,000
12 years' standing	...	Rs. 12,000
11 years' standing	...	Rs. 11,000
10 years' standing	...	Rs. 10,000
9 years' standing	...	Rs. 9,000
8 years' standing	...	Rs. 8,000
7 years' standing	...	Rs. 7,000
6 years' standing	...	Rs. 6,000
5 years' standing	...	Rs. 5,000





**ANDHRA PRADESH ACTS, ORDINANCES
AND REGULATIONS, ETC.**

The following Act of the Andhra Pradesh Legislative Assembly received the assent of the Governor on the 30th October, 1990 and the said assent is hereby first published on the 6th November, 1990 in the Andhra Pradesh Gazette for general information:-

ACT NO. 19 OF 1990.

An Act to amend the Andhra Pradesh Advocates' Welfare Fund Act, 1987.

[79]



BE it enacted by the Legislative Assembly of the State of Andhra Pradesh in the Forty-first Year of the Republic of India, as follows:-

Short title. 1. This Act may be called the Andhra Pradesh Advocates' Welfare Fund (Amendment) Act, 1990.

Amendment of section 4, Act 33 of 1987. 2. In the Andhra Pradesh Advocates' Welfare Fund Act, 1987 (herein after referred to as the principal Act), in section 4, in sub-section (3) for clause (g) the following shall be substituted, namely:-

"(g) three members nominated by the Bar Council from amongst its members, as far as possible one each from the regions of Coastal, Andhra, Telangana and Rayalaseema of whom one shall be nominated by the Committee as the Treasurer of the Fund.

Amendment of section 9. 3. In section 9 of the principal Act, in sub-section (2) in clause (g) for the words "by registered post with acknowledgement due", the words "under certificate of posting", shall be substituted.

Amendment of section 10. 4. In section 10 of the principal Act, in sub-section (4) for the words "Welfare Committee", the words "Welfare Fund Committee" and for the words "Bar Council", the words "the said Committee" shall respectively be substituted.

Amendment of section 12. 5. In section 12 of the principal Act, in sub-section (1) for the words "three rupees", the words "six rupees" shall be substituted.



6. In section 15 of the principal Act, -

Amendment of
section 15.

(i) to sub-section (5), the following proviso shall be added, namely:-

"Provided that the subscription may be paid upto the 31st December of the year with a late fee of rupees five per each month or part thereof.";

(ii) after sub-section (5), the following sub-section shall be inserted, namely:-

"(5-A) Notwithstanding anything contained in sub-section (5), an Advocate may be admitted as a life member on payment of rupees one thousand towards subscription for life in lieu of annual subscription and where an Advocate, who is admitted as life member ceases to practice, he shall not be entitled for the refund of the subscription paid under this sub-section.";

(iii) in sub-section (6) for the words "annual subscription" the words "annual subscription with late fee of rupees five per month or part thereof" shall be substituted;

(iv) in sub-section (7) for the words "with interest at twelve percent per Annum", the words "with a penalty of rupees fifty" shall be substituted.

7. In Section 16 of the Principal Act, for sub-section (2), the following shall be substituted, namely:-

Amendment of
section 16.



"(2) In the event of death of a member, a consolidated amount as determined by the Welfare Fund Committee in the manner prescribed shall be paid to the nominee or, where there is no nominee, to his dependents.

Explanation:- For the purposes of this Sub-section the word "Dependant" means any of the following relatives of a deceased member, namely:-

(i) a widow, a minor legitimate son, and unmarried legitimate daughter or a widowed mother; and

(ii) if wholly dependant on the earnings of the member at the time of his death, a son or a daughter who has attained the age of 18 years and who is infirm.";

Insertion of
new section
24-A

8. After section 24 of the principal Act, the following new section shall be inserted, namely:-

"Power to amend Schedule	24 A. (1) The Government may, by notification; alter the schedule.
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(2) Where a notification has been issued under sub-section (1), there shall, unless the notification is in the meantime rescinded, be introduced in the Legislative Assembly, as soon as may be, but in any case during the next session of the Legislative Assembly following the date of the issue of the notification,



a Bill on behalf of the Government, to give effect to the alteration of the Schedule specified in the notification, and the notification shall cease to have effect when such bill becomes law, whether with or without modification, but without prejudice to the validity of anything previously done thereunder:

Provided that if the notification under sub-section (1) is issued when the Legislative Assembly is in session, such a Bill shall be introduced in the Legislative Assembly during that session:

Provided further that where for any reason a Bill as aforesaid does not become law within six months from the date of its introduction in the Legislative Assembly, the notification shall cease to have effect on the expiration of the said period of six months.

(3) All references made in this Act to the Schedule shall be construed as relating to the Schedule as for the time being amended in exercise of the powers conferred by this section."

P.V. VIDYĀ SĀGAR,
Secretary to Government,
Law and Legislative Affairs,
Law Department.



THE ANDHRA PRADESH ADVOCATES WELFARE FUND
(AMENDMENT) ACT, 1992.*

ACT No. 10 OF 1992.

[15th April, 1992.]

An Act further to amend the Andhra Pradesh Advocates Welfare Fund Act, 1987.

Be it enacted by the Legislative Assembly of the State of Andhra Pradesh in the Forty-third Year of the Republic of India, as follows :-

1. *Short title* :-This Act may be called the Andhra Pradesh Advocates' Welfare Fund (Amendment) Act, 1992.

2. *Substitution of new Section for Section 21, Act 33 of 1987* :-In the Andhra Pradesh Advocates' Welfare Fund Act, 1987, for section 21 the following section shall be substituted namely :-

21 (1) "*Review*" :-The Committee may *suo-moto* at any time or on an application received from any person interested within ninety days of the passing of any order under the provisions of this Act, review any such order, if it was passed by them under any mistake, whether of fact or of law or in ignorance of any material fact :

Provided that the Committee shall not pass any order adversely affecting any person unless such person has been given an opportunity of making his representation.

(2) All the appeals pending before the Bar Council on the date of commencement of the Andhra Pradesh Advocates' Welfare Fund (Amendment) Act, 1992 Act 10 of 1992 shall abate.

(3) Where an appeal stands abated under sub-section (2) the appellant shall be entitled to prefer an application before the Committee for review under sub-section (1) within ninety days from the date of commencement of the Andhra Pradesh Advocates' Welfare Fund (Amendment) Act, 1992, Act 10 of 1992.

* Received the assent of the Governor on the 14th April, 1992. For State ment of Objects and Reasons, Please See the *Andhra Pradesh Gazette*, Extra-ordinary, dated 20th March, 1992, Part IV-A, at page 3.



THE ANDHRA PRADESH ADVOCATES' WELFARE FUND
(AMENDMENT) ACT, 1994.

ACT No. 5 OF 1994.

[20th January, 1994.]

AN ACT FURTHER TO AMEND THE ANDHRA PRADESH
ADVOCATES' WELFARE FUND ACT, 1987.

Be it enacted by the Legislative Assembly of the State of Andhra Pradesh in the Forty-fourth Year of the Republic of India as follows:-

1. This Act may be called the Andhra Pradesh Advocates' Welfare Fund (Amendment) Act, 1994. Short title

2. In section 15 of the Andhra Pradesh Advocates' Welfare Fund Act, 1987 for sub-sections (5), (5A), (6) and (7) the following shall be substituted namely:- Amendment of section 15, Act 33 of 1987.

*Received the assent of the Governor on the 19th January, 1994. For Statement of objects and Reasons, Please see the Andhra Pradesh Gazette, Part IV-A, Extraordinary, dated the 27th December, 1993 at Page 3.



"(5) (a) where an Advocate is admitted as a member of the Fund he shall pay to the Fund an amount of rupees one thousand towards the subscription for membership either in one instalment or two half yearly instalments of rupees five hundred each within one year from the date of admission and on such payment the membership of the Advocate concerned shall, subject to the provisions of sub-section (12) be for his life.

(b) Where an Advocate has already been admitted as a life-member prior to the commencement of the Andhra Pradesh Advocates' Welfare fund (Amendment) Act, 1994, he shall be deemed to have been admitted as a member under this section and shall continue to be such member.

(c) Where an Advocate has been admitted and continuing as a member on payment of annual subscription prior to the commencement of the Andhra Pradesh Advocates' Welfare Fund (Amendment) Act, 1994, he shall cease to be such member unless he pays a sum of rupees one thousand in one instalment or two half yearly instalments within a period of one year from the date on which he would have been liable to pay annual subscription but for the amendment made by the Andhra Pradesh Advocates' Welfare Fund (Amendment) Act, 1994:

Provided that the annual subscription if any paid by such member prior to such commencement shall be deducted from the amount of rupees one thousand payable under this clause and he shall be liable to pay only the balance of the amount in the manner decided by the Committee.

(d) Where a member ceases to practice he shall not be entitled for the refund of the subscription paid under this sub-section."

K. SATYANARAYANA MURTHY,
Secretary to Government,
Legislative Affairs,
Law Department.