

**High Court of Judicature at Allahabad  
Lucknow Bench, Lucknow**

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**Reserved**

**Case :-** P.I.L. CIVIL No. - 18055 of 2021

**Petitioner :-** In Re:Unruly Behaviour&Breach Of Protocol During  
Awadh Bar

**Respondent :-** Awadh Bar Association Lucknow

**Counsel for Petitioner :-** Suo Moto

**Hon'ble Ritu Raj Awasthi,J.**

**Hon'ble Dinesh Kumar Singh,J.**

*(Per: Hon'ble Ritu Raj Awasthi, J.)*

1. The Advocates act as Officers of the Court and public servants. They play a key role in the development and dispute processing activities and above all in the building up of a just society and constitutional order. A lawyer is obligated to rise to the expectation of him being a member of the society worthy of confidence of the community in him as a vehicle of social justice.
2. It is aptly said that 'the Lawyers play a critical role in promoting social peace by applying the law'. 'The Court of law are the 'shrines of justice' and lawyers are the sinister of Courts of justice robed in the priestly garments of truth, honour & integrity'.

3. It is also said that 'lawyers play an indispensable role in the mechanism of administration of justice'. 'The Advocates as members of the Bar and Officers of the Court, have the responsibility of keeping the stream of justice pure and unsullied'. However, when the Advocates indulge themselves in unruly, indecent and undemocratic behaviour, it poorly reflects on image of the Institution where they are practicing and brings down the prestige and dignity of the Institution concern..

4. In the election of Awadh Bar Association held on 14.8.2021 in the premises of the High Court, Lucknow, unruly, indecent and rustic behaviour and breach of protocol by some of the lawyers lead to ultimately cancellation of election which had caused the security issues in the premises of the High Court and the Officers and Police were compelled to intervene to maintain the decorum.

5. We have taken suo moto cognizance of the the incidence occurred on 14.8.2021 in the premises of the High Court and feel proper to issue certain directions for the purpose of streamlining the process of election to be held in future so as to maintain purity of democratic process of the Bar election in the High Court.

6. We hereby implead the following as respondents in this case:

1. Bar Council of Uttar Pradesh, Camp Office, Darul Shafa, Vidhyak Niwas-2, Suit No. 23, Lucknow.
2. Awadh Bar Association through its Chairman, Elders' Committee, High Court Lucknow.

3. Central Bar Association, Lucknow through its President, Civil Court, Lucknow.
4. Lucknow Bar Association through its President, Collectorate, Lucknow.
5. State Public Services Tribunal Bar Association through its President, Indira Bhawan, Lucknow.
6. Central Administrative Tribunal Bar Association through its President, Lucknow.
7. Armed Forces Tribunal Bar Association through its President, Lucknow.
8. The Returning Officer, Awadh Bar Association Election, 2021, High Court, Lucknow, Mr. V.K. Shahi, AAG.
9. Senior Registrar, High Court of Judicature at Allahabad, Lucknow Bench, Lucknow.

Notices be issued to the respondents returnable at an early date.

7. On 16.8.2021 following order was passed:

*"We are very pained to know that election of Awadh Bar Association scheduled to be held on 14.08.2021 in the premises of High Court, was cancelled due to unruly, indecent and undemocratic behaviour and breach of protocol by some of the lawyers, who also indulged in unlawful activities.*

*We have been informed that the candidates along with their supporters, entered into voting arena and indulged in tearing ballot papers and in pushing female lawyers and misbehaving with them. Even one lawyer was seriously injured in the melee and his hand got fractured in the incident. One lawyer suffered heart attack. It is really shocking to hear such incidence happening in the premises of the High Court during its Bar election.*

*We take cognizance of this unruly behaviour of the lawyers during election process and, as such, call upon Returning Officer, Mr. V.K. Shahi to submit his report in this regard. In the report, he may submit video clipping(s) and photograph(s) as well as evidence and material collected which led to cancellation of the election on 14th August, 2021.*

*We have also heard Dr. Ashok Nigam, Chairman Elders' Committee. He has given certain suggestions for the elections to be held in future.*

*Dr. Ashok Nigam, Chairman, Elders' Committee is requested to give his suggestion(s) in writing by tomorrow. If any member of the Bar Association has any suggestion, he may give it in writing to the Chairman, Elders' Committee, who may consider it and, if feels proper, may incorporate it in his suggestions.*

*We also hereby call upon Senior Registrar of this Court to submit his report with respect to security and unlawful activities, which had taken place inside the premises of the High Court during the said election.*

*Senior Registrar shall allow the Returning Officer to take relevant materials from the room which has been sealed and given under custody of CRPF.*

*The report of the Returning Officer shall be submitted by tomorrow.*

*Put up this case day after tomorrow i.e. 18.08.2021 at 2.15 p.m.*

*Registry is directed to register this petition as PIL (Civil)."*

8. The report of Mr. V.K. Shahi, learned Additional Advocate General & Returning Officer, Suggestions in writing submitted by Dr. Ashok Nigam, Chairman, Elders' Committee, Awadh Bar Association, Suggestions of Mr. Raghvendra Singh, learned Advocate General, Government of U.P. as well as suggestions of Mr. S.M. Singh Royekwar, Advocate which have been submitted subsequently are taken on record.

9. The Apex Court in the case of ***Supreme Court Bar Association and Ors. vs. B.D. Kaushik***<sup>1</sup> has held that only 'regular practitioners' in the Supreme Court shall be allowed to participate in the election of Supreme Court Bar Association. An Advocate having 50 appearances and/or 20 filings in a year should be considered regular practitioner in

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1 2012 (8) SCC 589

the Supreme Court. The Advocates who had been continuously representing State Governments or Union Government before the Supreme Court for at least three years and had a minimum of 50 appearances for such Government shall be treated as regular practitioner with a right to vote. The Government Standing Counsel and counsel appearing for Government in the Supreme Court and all Advocates-on-Record in said category shall also be treated to be regular practitioner. All such Amicus Curiae who are in the panel approved by the Supreme Court Registry and the Members who were working as Mediators in Supreme Court Mediation Center shall also be allowed to participate in the election being regular practitioners. All Senior Advocates of Supreme Court who are residents of Delhi and attending the Supreme Court shall also be allowed to participate in the Supreme Court Bar Association election. The attendance of 60 days was treated to be sufficient. The appearance before Chamber Judge, as also before the Registrar's Courts in the year 2009 and 2010 would be counted towards total number of appearances. It was also directed that publication on website should not be resorted to and individual members should be informed of their status either by E-mail or through SMS on their mobile phones. The persons who had contested elections to Executive Committee of any Court annexed Bar Association, other than SCBA, during any of years from 2007 to 2012, could not be allowed to vote to elect Office Bearers of SCBA on 'One Bar One Vote' principle or to attend General Body meeting of

SCBA, the same would also include a person who had casted his vote in any election to Executive Committee of any Court annexed Bar Association, other than SCBA, for above mentioned years. The directions were issued to the Implementation Committee to modify the criteria as noted above for the purpose of identifying the Members of SCBA who were regular practitioners in the Supreme Court, for purposes of election of SCBA.

10. It has been time and again emphasized that function of Courts and their orderly conduct requires that one Advocate shall vote in one Bar.

In the case of *P.K. Dash, Advocate & Ors vs. Bar Council of Delhi & Ors*<sup>2</sup> it was held that the principle of one Advocate one vote in one Bar should be implemented. The amendment in the Bye-laws should be carried out accordingly.

Relying on the judgment of *P.K. Dash, Advocate & ors* (supra), the Delhi High Court in the case of *Anju Singh vs. Saket Bar Association*<sup>3</sup> issued direction that the declaration should be made by the Members of the Bar Association in terms of the said judgment.

11. Mr. H.G.S. Parihar, learned Senior Advocate and outgoing President, Awadh Bar Association as well as Mr. Sharad Pathak, outgoing General Secretary of Awadh Bar Association have informed that the Awadh Bar Association had passed a resolution dated

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2 2016 (158) DRJ 183 [DB]

3 2020 SCC OnLine Del 252

11.1.2021 for amendment in the registered Bye-laws. The amendment was sent to the U.P. Bar Council for its information and acceptance/approval vide letter dated 17.1.2021 which has been duly received in the U.P. Bar Council, however, no information thereafter has been received in this regard by the Awadh Bar Association.

Mr. Parihar has further submitted that the Deputy Registrar, Firms Societies & Chits, Lucknow has also been sent a letter for filing the amendment in the registered Bye-laws of the Society.

12. The proposed amendments in the registered Bye-laws under the 'Rules and Constitution of Awadh Bar Association, Lucknow' provides under the definition clause 'regular and active practice' means the person having certificate of practice issued by the U.P. Bar Council and is registered as Advocate on Roll of High Court. Only a regular and active practitioner can be member of Awadh Bar Association.

Submission is that as per amended Bye-laws only such Members of the Bar Association who possess the certificate of practice mentioning place of practice as High Court, Lucknow and Membership of Awadh Bar Association shall be treated to be regular and active practitioner of the High Court. Copy of the amended Bye-laws along with letter dated 17.1.2021 written to U.P. Bar Council has been placed before us by Mr. H.G.S. Parihar, learned Senior Advocate, they are taken on record.

13. Mr. V.K. Shahi, learned Additional Advocate General who was Returning Officer for the election scheduled for 14.8.2021 in his report has highlighted the following points:

*"(1) Along with Presidential candidates several other candidates of other posts also forcefully entered in the voting hall, where the Ballot Boxes were kept.*

*(2) After sealing of the Ballot Boxes when the candidates were requested to leave the voting area, they remain there for quite a long time. After a lot of efforts, the election team could get the area cleared. Hence, the polling process got delayed for more than 15 minutes.*

*(3) The candidates and their supporters remained in the area designated for distribution of 'Voter Slip' causing inconvenience in the process of slip distribution.*

*(4) At about 11.20 AM candidates and supporters started assembling in mass in the area designated for distribution of 'Voter Slip' and started canvassing, causing inconvenience to the voters and inconvenience in distribution of 'Voter Slips'.*

*(5) The supporters escalated disturbing activities and almost blocked the functioning of 'Voter Slip' distribution. The ladies of 'Voter Slip' distribution team made complaint about the misbehavior with them by the supporters of candidates. (Written complaints in sealed cover provided with this report). Hence it was decided to shift the 'Voter Slip Distribution Area' inside the ABA Hall. Accordingly, entire 'Voter Slip Distribution Desk' was arranged inside the ABA Hall.*

*(6) Senior members and lady members of the ABA were allowed to enter the voting hall from the designated exit gate (i.e. entry door of ABA for normal days). On every entry of Senior members and lady members several supporters of the candidates also tried to barge in, but they were requested to remain out. Despite best efforts some of the supporters forcefully entered by pushing senior members and lady members as well as to the deputed police personnel.*

*(7) In the post lunch session, when senior members and lady members were coming in the voting hall, large number of supporters and even the candidates entered in the hall forcefully which was objected and prevented by the election team members.*



*(8) Despite all efforts of the election team and police personnel several supporters and candidates succeeded in forceful entry in the voting hall and started influencing the voters. Despite repeated request by the RO, the supporters and candidates did not pay any heed to the request of election team. Simultaneously supporters and candidates started shouting slogan with ugly display and ruckus. In one or two incidents the supports and candidates even tried to tik mark in the ballot of others voters. (Complaints provided separately in sealed cover).*

*(9) The various unauthorized persons, the candidates and their supporters refused to leave the voting area, which also started pouring in unauthorized persons from exit doors. Ultimately, when the warnings issued by the Returning Officer were ignored and the area was not cleared by aforesaid persons further, they also violated the Covid 19 protocols.*

*(10) One candidate submitted his request for cancellation of Election (Letter in Original is in sealed cover).*

*(11) One Voter submitted a written complaint, alleging while he was looking his ballot paper, some other person tick marked his ballot paper from behind. (Letter in Original is in sealed cover).*

*(12) 12 Two Voters submitted their separate complaints alleging that on their turn they were informed that some other persons have already casted vote against their votership. (Letters in Original is in sealed cover).*

*(13) In the meeting it was pointed out by the election team that various complaints have been made to election team by the voters regarding influencing their votes, tearing off the ballot papers, taking photographs of the ballot papers after casting their votes, running away with the red markers kept for the purpose of voting, use of fake ABA ID Cards etc. (The torned ballot paper is in sealed cover).*

*(14) It was assessed during the meeting that sanctity of the vote casting has been compromised by the supporters and candidates, leading the election process vitiated.*

*(15) Thereafter, it has been decided to cancel the polling of votes."*

14. From perusal of the report of the Returning Officer, it is evidently clear that several outsiders along with candidates and their supporters had barged-in in the polling area and the ballot papers were

torn out. Several voters found that their vote was already casted when they reached at polling centre to cast their vote. The unruly Advocates got into scrimmage with Lady Members and Senior Advocates and Police personnel. The election of the Bar had lost its sanctity and purity.

15. Dr. Ashok Nigam, learned Senior Advocate and Chairman, Elders' Committee and all the Members of the Elders' Committee who all are designated learned Senior Advocates have sought intervention of this Court and requested the Court to formulate the scheme for streamlining the proper election of Awadh Bar Association. It has been vociferously said that only regular practitioners of the High Court should be allowed to participate in the election and be eligible to cast their votes.

16. Dr. Ashok Nigam, learned Senior Advocate and Chairman, Elders' Committee, Awadh Bar Association has submitted the suggestions which are as under:

*"A. The bye laws of the Awadh Bar Association provide for fulfilment of certain conditions for being entitled to participate in the elections of the ABA such as a gestation period from the date of enrolment till the date of entitlement. In addition to the said conditions as have been provided in the bye laws, eligibility must also provide for the member being an AOR and possessed of a certificate of practice having being issued by the Bar Council and must have filed at least 10 cases in one year in the two preceding years from the date the member becomes eligible to participate in the elections. This would eradicate all such members who are not regular practitioners at the Hon'ble High Court at Lucknow and would also be in conformity with the law laid down by the Hon'ble Supreme court in the case of Supreme Court Bar Assn. v. B.D. Kaushik, (2011) 13 /SCC 774.*

*B. The certificate of practice must be of the Awadh Bar Association.*

*C. Designated senior advocates may be exempted from the above conditions. In addition those members who have a practice of more than forty years and State Government Counsel who are not designated senior advocates may also be permitted to participate in the elections without being required to satisfy the condition of having filed 10 vakalatnamas in the preceding two years.*

*D. A declaration be taken from every member desirous of casting his vote in the ABA that he would be bound to cast his vote only in the Awadh bar Association and in no other Association in accordance with paragraphs 80, 88 and 89 of the judgement rendered in the case of BD Kaushik by the honourable Supreme Court; and on the basis of the said declaration alone the name of the member be included in the voters list of the Awadh bar Association.*

*E. The voters list may be recast in the light of the above suggestions. However, the enrolled members who do not come within the parameters may not be deprived of other benefits to which they may be entitled in accordance with rules if they are validly enrolled as members of the Awadh Bar association.*

*F. For the purpose of holding future elections (at least the one immediately due), this Hon'ble Court may be pleased to appoint such number of observers as may be deemed necessary, (commensurate to the final list of eligible voters) who may in consultation with the Elders Committee oversee the process of election for ensuring that the same are conducted in accordance with the orders passed by this Hon'ble Court.*

*G. As large number of complaints have been received against the returning officer and his team, it would be desirable that the Elders' Committee may appoint a fresh Returning Officer and his team in accordance with rule 16 of the rules of the ABA. However, assistance of observers appointed by this Honourable Court may be taken by the Returning Officer and his team in conducting the elections.*

*H. An officer appointed by this Hon'ble court may in consultation with the Elders Committee debar such candidates who may be found having indulged in misbehaviour and disrupting the process of election on 14.08.2021 while the polling was in progress, either directly or through their*

*supporters after due verification of the complaints received and perusal of video clipping and such other evidence as may be available. This would go a long way in inculcating discipline in future elections.*

*I. As the security deposits made by the candidates have been expended (as reported by the Returning Officer) and the elections had to be cancelled, fresh security deposit may be required to be furnished by all candidates seeking elections to the General Body of the Awadh Bar Association.*

*J. With a view to regulate entry of voters, the returning officer(s) may open some counters in the premises of the ABA where the intending voters may present their credentials and after ensuring that all the conditions of eligibility as laid down by this Hon'ble Court are fulfilled, a voters card may be issued and entry on the election date may be permitted beyond a certain point only of those members who possess a voters card issued in the manner indicated above. This would also prevent overcrowding besides allowing only bonafide voters to enter in the polling area.*

*K. Guidelines may be laid down by Elders' Committee regarding canvassing and for prohibiting them and their supporters from hosting any parties or doing any such act which may have the effect of appeasing the prospective voters and provision be made for taking such action against the contesting candidates as may be deemed appropriate by the Elders Committee which may even include debarring the candidate for a specified number of years from contesting in any of the elections of the Awadh Bar Association.*

*L. U.P. Bar Council has mandated every Bar Association to implement "one Bar one vote" for every lawyer which is most appropriate, but it is being flouted with immunity because despite our request, Bars at Lucknow are not providing list of persons voted in their Bar. Transparency & implementation of the principle can only be brought if Hon. Court issues Mandamus to all Bar Associations in Awadh region to put the list of persons voted on their Web site within three days of the taking of place of their voting."*

17. Mr. Raghvendra Singh, learned Senior Advocate and present Advocate General, Government of U.P. has also submitted his suggestions for the improvement of the Awadh Bar Association. The

suggestions submitted by Mr. Raghvendra Singh, learned Advocate General are as under:

*"(1) Only regular practitioners of the High Court (at Lucknow) may be allowed to participate in the elections of the ABA.*

*(2) Only those members of the ABA should be treated as regular practitioners, who have filed or appeared as Respondent, independently, or as Assisting Counsel to a designated Senior Advocate, in at least 50 cases in a year during last three years' preceding elections, but only one Assisting Advocate should be treated to assist the Senior Advocate in each case. Likewise, if more than one advocates are appearing in any case, then only one of them, whose name stands at serial no.1 in the Vakalatnama should be taken for the purpose of calculation of 50 cases. However, following may be exempted from this category:*

*(i) The designated Senior Advocates, who are residing in the city of Lucknow.*

*(ii) All those members, who have completed 40 years of practice and also members of the ABA since last thirty years or more.*

*(3) The list of present members of the ABA should be prepared in two parts: (i) Regular Practitioners of the High Court, who are eligible to participate in the elections, and (ii) Remaining Members.*

*(4) Nobody should be allowed to become or continue as Member of ABA without Certificate of Practice (COP) issued by the State Bar Council.*

*(5) Those, who are active members of any other Bar Associations (who are eligible to participate in the election) should not be included in the list of Regular Practitioners of the High Court.*

*(6) The principle of "One Bar One Vote" should be strictly implemented in all the Bar Associations.*

*(7) A declaration in this regard, should also be taken from all the existing members of the ABA and also from those, who apply for membership in future and if declaration is found to be incorrect, provision should be made in the Rules of ABA to permanently debar the person from membership of the ABA.*

(8) *All the Bar Associations of the State should be directed to hold the election only after submitting a copy of the final voter list signed and verified by the Chairman, Elders' Committee, in the Registry / office of the highest Presiding Officer in the Court concerned, before the elections and the Presiding Officer should also be directed to maintain the record of the voter list so that the copy of the same may be obtained from the office for verification purpose of the conditions referred above, if required.*

(9) *So far as the Bar Associations of District Lucknow are concerned, the Presiding Officers of the Courts should also be directed to send a true copy of the said voter list, duly attested by the Presiding Officer, to the Registry of the Hon'ble High Court, Lucknow Bench, Lucknow, within a week of its submission, so that the same may be used for verification of Regular Practitioners of the High Court, referred above.*

(10) *Black Ball System should be introduced for inducting new members in ABA and the number of new membership in a year should be limited to reasonable number.*

(11) *A declaration form in respect of the conditions referred above, should be introduced in the bye-laws of the Bar Association for the purpose of inducting the members in the list of Regular Practitioners of the High Court with a provision to debar the member permanently from membership of the ABA and other Bar Associations, in case, his declaration is found to be incorrect.*

(12) *Yearly audit should be done of the accounts of the ABA and other Bar Associations by an Auditor nominated by the Elders' Committee.*

(13) *Canvassing by distribution of visiting cards/ cards, pamphlets or posters should be prohibited in the election of the ABA as was there during past. Distribution of lunch packets, refreshment etc. should not be allowed either before or during the election and all those, who are found distributing such things, should be debarred from contesting elections.*

(14) *The Elders' Committee may be directed to formulate Code of Conduct for Elections keeping in view the recommendations approved by this Hon'ble Court.*

(15) *In the matter of allotment of chambers in the High Court, only regular practitioners should be considered.*

*(16) The Bar Association should be directed to suitably amend its bye laws to incorporate the final directions of the Hon'ble High Court within a time frame fixed by the Hon'ble Court."*

18. We have considered the submissions made before us by the Members of the Awadh Bar Association, Mr. V.K. Shahi, learned Additional Advocate General and Returning Officer, Dr. Ashok Nigam, learned Senior Advocate and Chairman, Elders' Committee, Mr. Raghvendra Singh, learned Advocate General, Mohd. Arif Khan, learned Senior Advocate, Mr. Prashant Chandra, learned Senior Advocate, Mr. H.G.S. Parihar, learned Senior Advocate and Dr. L.P. Misra, learned Senior Member of the Bar.

19. There is a consensus among majority of the Members of the Awadh Bar Association including all the Senior Advocates present in the Court that only regular practitioners of the High Court, Lucknow should be allowed to participate in the election of the Awadh Bar Association. The regular practitioners shall be only those persons who have a certificate of practice issued by the Bar Council of Uttar Pradesh having normal place of practice as High Court Lucknow and valid membership of Awadh Bar Association, High Court, Lucknow having paid the dues of the Bar Association upto 28.2.2021. He should be an Advocate on Roll of the High Court.

20. It has also been submitted by all the Advocates who have made submissions before us in these proceedings that the Court may be pleased to fix the minimum number of appearance and/or minimum

number of filing of cases in a year for the purpose of defining a regular practitioner in the High Court, Lucknow.

It is also submitted that minimum number of appearances and/or minimum number of filings in a year shall be counted for at least three preceding years before the year of election.

21. Considering the broad consensus amongst the Members of the Bar and suggestions given to us in writing and to maintain the purity of democratic process in the Bar elections so that the elected body truly represents the Bar of this High Court at Lucknow, we fix the following mandatory conditions for a Member of Awadh Bar Association to participate in the election 2021 either for the purpose of contesting the election or casting his/her vote:

*(i) He/She shall have valid certificate of practice issued by Bar Council of Uttar Pradesh having the normal place of practice as 'High Court Lucknow'. The certificate of practice having a mention of place/name of Bar Association (if any) where the Advocate is entitled to vote in the election of Bar Association*

*- Awadh Bar Association, High Court, Lucknow-*

*(ii) Advocate on Roll of the High Court.*

*(iii) Clearance of dues of the Awadh Bar Association as on 28.2.2021; and*

*(iv) Shall be a regular practitioner of the High Court, Lucknow.*

**Explanation:** *For the purpose of regular practitioner, the person shall have minimum 20 filings of cases in a year in last*



*three years i.e., 2018, 2019 and 2020. 20 filings would include filings for petitioner(s) and respondent(s) both.*

*1. Senior Advocates, State Government/Union Government Counsel (on Criminal or Civil side) shall be exempted from the above conditions of minimum number of filing of the cases in a year.*

*2. Mediators in the Mediation and Conciliation Center, High Court, Lucknow as well as panel Amicus Curiae approved by the High Court Registry shall be exempted from the condition minimum number of filing of cases in a year.*

*3. All those Advocates, who have completed 40 years of practice and Member of Awadh Bar Association from last 30 years shall also be exempted from minimum filing of cases in a year.*

*(v) A Member of Awadh Bar Association who is resident of Lucknow and fulfills the above conditions shall only be allowed to participate in the election.*

*(vi) Any Member of Awadh Bar Association who has contested the election of any Bar other than the Awadh Bar Association during any of the years from 2018, 2019 and 2020 shall not be allowed to contest the election and/or attend the General Meeting of Awadh Bar Association.*

*(vii) A declaration be taken from every member desirous of casting his/her vote in the Awadh Bar Association Election that he/she would be bound to cast his/her vote only in the Awadh Bar Association and in no other Bar Association. The provision should be made in the Rules of Awadh Bar Association to permanently debar a person from Membership of Awadh Bar Association whose declaration is found incorrect.*

*(viii) On the principle of 'one Bar one vote' a person who had casted his vote in any election to Executive Committee of any Bar Association other than Awadh Bar Association in last three years shall not be entitled to vote in the Awadh Bar Association election, 2021.*

*(ix) Fresh security deposit should be required to be furnished by all candidates seeking elections to the General Body of the Awadh Bar Association.*

*(x) with a view to regular entry of voters the Returning Officer should open some counters in the premises of the Awadh Bar Association where intending voters may present their credentials and after due verification voter card should be issued/sent on the Whatsapp of the Member.*

*(xi) On the date of election only such persons shall be allowed entry who possess valid voter card.*

22. The voter list of regular practitioners shall be prepared within one week from today and, it shall be published on the website of Awadh Bar Association inviting objections, if any. The objections to the voter list shall be submitted within one week thereafter. The final voter list shall be published after two weeks from the date of publication of tentative list. The schedule of holding of election including filing of nomination and withdrawal of nomination and holding of election shall be put on the website of the Awadh Bar Association. The voters shall be issued the voter slip through E-mail and in this regard intimation shall be given on their mobile phone through Whatsapp/SMS. The Elders' Committee shall consider constituting a team of seven or eight members as observers for

holding the election and one Member of Awadh Bar Association shall be appointed as Returning Officer for the purpose of election. Some of the names suggested are - (1) Mohd. Arif Khan, Senior Advocate, (2) Mr. I.B. Singh, Senior Advocate, (3) Mr. Kapil Dev, Senior Advocate, (4) Ms. Bulbul Godiyal, Senior Advocate, (5) Mr. I.P. Singh Yadav, Senior Advocate, (6) Mr. Amit Jaiswal, Advocate and (7) Mr. Alok Sharma, Advocate. The team may add or include any other Advocate to assist them.

The election shall be held on 25.9.2021 and the counting of vote shall be done on 26.9.2021 and the result shall be declared thereafter.

23. The aforesaid directions shall be complied with by the Elders' Committee of the Awadh Bar Association while holding the election of Awadh Bar Association for the year 2021.

24. We hereby issue further direction:

(I) The U.P. Bar Council shall issue necessary circular or order implementing the principle of 'one Bar one Vote'.

(II) The U.P. Bar Council shall direct all the registered Bar Associations to put on their website/notice board the names of members who have casted their vote in last three years i.e., 2018, 2019 and 2020.

(III) The Central Bar Association, Lucknow Bar Association, State Public Services Tribunal Bar Association, Central Administrative

Tribunal Bar Association and Armed Forces Tribunal Bar Association are directed to put on their website/notice board the list of members who have casted their vote in last three elections i.e., 2018, 2019 and 2020.

(IV) The Elders' Committee, Awadh Bar Association shall formulate 'code of conduct' for elections keeping in view the recommendations and directions issued today.

(V) Canvassing by distribution of visiting cards/cards, pamphlets or poster should be prohibited in the elections of the Awadh Bar Association. Distribution of lunch packets, refreshment, etc. should not be allowed either before or during the election and all those who are found distributing such things should be debarred from contesting elections. Hosting or arranging dinner parties for canvassing for elections should be prohibited.

(VI) Senior Registrar or any other Officer deputed by him in consultation with the Elders' Committee shall debar such Members of Awadh Bar Association from participating the ensuing election who may be found having indulged in misbehaviour and disrupting the process of election on 14.8.2021 while the polling was in process, after due verification of the complaints received and perusal of video clipping and such other evidence as may be available.

25. The direction issued shall be complied within three days from today. The non-compliance of the order shall be treated to be

disobedience of the orders of the High Court and would be dealt with accordingly.

All the respondents-Bar Associations as well as U.P. Bar Council are directed to file their counter affidavits within four weeks.

List this case on 27.9.2021.

**[Dinesh Kumar Singh, J.] [Ritu Raj Awasthi, J.]**

**Order Date :- 24/08/2021**

Santosh/-