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ANDHRA PRADESH ADVOCATES' WELFARE FUND

From Smt.B.Padmalatha, B.Com., LL.B.
I/c Secretary,
Bar Council of Andhra Pradesh,
Ground floor,
A.P. High Court Building,
Nelapadu,
Amaravati - 522 239.



To The Presidents of all
Bar Associations in the
State.

ROC No.APWF 45 / 2024

Dt. 01-04-2024

Sir,

Sub :- A.P. Advocates Welfare Fund Act 1987 – Amendment by Act No.4 of 2024 dt.06-03-2024 enhancing the value of “Nyayavadula Mariyu Vari Gumasthala Samkshema Nidhi” Stamp from Rs.100/- to Rs.250/- and to dispense with of affixing of “Nyayavadula Sankshema Nidhi” Stamp of Rs.20/- on I.A. and Miscellaneous petitions, in view of deletion of Sec.12(B) of the Welfare Fund Act – Circular issued by the Hon’ble High Court of A.P. to implement the same from 01-04-2024 – Reg.

Ref :- 1. Notification issued by the Law Department on 14-03-2024.
2. Circular No.5 of 2024 issued by the Hon’ble High Court on 28-03-2024.

With reference to the subject cited above, I am to inform you that on the request made by the Bar Council, the Government was pleased to Amend Sec.12, 12(A) of the A.P.Advocates Welfare Fund Act, by Act No.4 of 2024 enhancing the value of “Nyayavadula Mariyu Vari Gumasthala Samkshema Nidhi” Stamp from Rs.100/- to Rs.250/- to be affixed on every Vakalat / Memo of appearance and deleting Sec.12(B) of the Act, to affix “Nyayavadula Sankshema Nidhi” Stamp of Rs.20/- on I.A.s and Miscellaneous Petitions.

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Therefore, the Bar Council has requested the Hon'ble High Court to issue a Circular to the Registry of High Court and District Judiciary in this regard, to ensure that the Stamp of Rs.250/- is affixed on every Vakalat / Memo of appearance. Accordingly, the Hon'ble High Court was pleased to issue a Circular, directing the Registry of High Court and District Judiciary, to ensure that every Vakalat / Memo of appearance filed before the Courts and Authorities, bears "Nyayavadula Mariyu Vari Gumasthala Samkshema Nidhi" Stamp worth of Rs.250/- from 01-04-2024, inconsonance with the amended provisions of the Act.

It was also informed, to accept "Nyayavadula Mariyu Vari Gumasthala Samkshema Nidhi" Stamp of Rs.100/- and "Nyayavadula Sankshema Nidhi" Stamp of Rs.20/- for the value of Rs.250/-, till a single Stamp is made available.

Therefore, the Members of the Bar Associations are informed to dispense with of affixing of "Nyayavadula Sankshema Nidhi" Stamp of Rs.20/- on I.A.s and Miscellaneous Petitions from 01-04-2024, in view of deletion of Sec.12(B) of the Act and to affix Stamps, not less than the value of Rs.250/- on Vakalat / Memo of Appearance, till a single Stamp of Rs.250/- is made available.

The President / Secretary of the Bar Associations, shall send a letter, on their Letter Head, to get the Stamps from the Bar Council, as the Welfare Fund is providing 5 % Commission to the Associations, on purchase of Stamps. Further, it is also requested not to supply the stamps through private persons.

Therefore, all the Bar Associations are requested to take steps to implement the afore said provisions from 01-04-2024, scrupulously.

Yours faithfully,

B. Padmalati
I/c Secretary,

A.P. Advocates Welfare Fund



- Encl: 1. Notification issued by the Law Department on 14-03-2024.
2. Circular No.5 of 2024 issued by the Hon'ble High Court on 28-03-2024.

HIGH COURT OF ANDHRA PRADESH

ROC No.590/SO/2023

Date: 28.03.2024

CIRCULAR No.05/2024

Sub: High Court of Andhra Pradesh - A.P. Advocates Welfare Fund Act, 1987 – Amendment by Act No. 4 of 2024 dt:06.03.2024 enhancing the value of "Nyayavadula Mariyu Vari Gumasthala Samkshema Nidhi" stamp from Rs.100/- to Rs.250/- - Deleting Sec.12-B of the Act, simultaneously – Requested to issue circular to the Registry and District Judiciary in A.P. in that behalf - Reg.

Ref: 1. Letter dated 18.03.2024 of the Bar Council of Andhra Pradesh.
2. A.P.Gazette No.4, dated 06.03.2024, published in Part – IV –B Extraordinary.

It is informed that the Government of Andhra Pradesh have amended Sections 12 & 12(A) of A.P. Advocates' Welfare Fund Act by Act 4 of 2024 and the same was published in the A.P. Gazette. Pursuant to the same, Bar Council of Andhra Pradesh requested to issue instructions to High Court and the District Judiciary in Andhra Pradesh to see that every Vakalat/Memo of Appearance filed before the Courts and Authorities bears "**Nyayavadula Mariyu Vari Gumasthala Samkshema Nidhi**" stamp worth Rs.250/- (Rupees two hundred and fifty only).

The High Court upon considering the same hereby directs the Registry of the High Court and all the Presiding Officers of the District Judiciary in Andhra Pradesh to ensure that every Vakalat/Memo of appearance filed before the Courts and Authorities bears "**Nyayavadula Mariyu Vari Gumasthala Samkshema Nidhi**" stamp worth Rs.250/- (Rupees two hundred and fifty only) from **1st April, 2024** in consonance with the amended provisions of Section 12 & 12(A) of the A.P. Advocate Welfare Fund Act.

It is further informed that till the single stamp of Rs.250/- of "**Nyayavadula Mariyu Vari Gumasthala Samkshema Nidhi**" is made available, "Nyayavadula Mariyu Vari Gumasthala Samkshema Nidhi" stamp of Rs.100/- and "Nyayavadula Sankshema Nidhi" stamp of Rs.20/- for the value of Rs.250/- shall be accepted.

The above instructions shall be scrupulously given effect to.



I/c.REGISTRAR GENERAL

To

- 1) The Prl. Secretary to the Hon'ble the Chief Justice.
(with a request to place the same for His Lordship's kind perusal)
- 2) All the Personal Secretaries to the Hon'ble Judges.
(with a request to place the same before their Lordship's kind perusal)
- 3) All Registrars in the High Court of Andhra Pradesh.
- 4) All the Unit Heads in the State Andhra Pradesh (with a request to circulate the same to all the Judicial Officers in your unit under your control.)
- 5) All the Presiding Officers of Labour Courts/Tribunals in Andhra Pradesh.
- 6) The President, High Court Bar Association of Andhra Pradesh.
- 7) The Secretary, Bar Council of Andhra Pradesh, High Court Building.
- 8) The Member Secretary, A.P.State Legal Services Authority, High Court Building, Amaravati.
- 9) The Secretary, High Court Legal Services Committee, High Court Building, Amaravati.
- 10) The Director, Mediation and Arbitration Centre, High Court Building, Amaravati.
- 11) The Director, A.P. Judicial Academy, Mangalagiri, Guntur District.
- 12) The Registrar (IT-cum-CPC), High Court of Andhra Pradesh, (with a request to place the same in the Official website of the High Court).
- 13) All the Officers, High Court of Andhra Pradesh.
- 14) The Section Officers, Posting Section, New Filing Section, (Writ, Civil, Criminal and O.S) High Court of Andhra Pradesh.



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THE ANDHRA PRADESH GAZETTE
PUBLISHED BY AUTHORITY

PART I EXTRAORDINARY

No.357

AMARAVATI, THURSDAY, MARCH 14, 2024

G.4043

NOTIFICATIONS BY GOVERNMENT

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LAW DEPARTMENT
(B)

THE ANDHRA PRADESH ADVOCATES' WELFARE FUND (AMENDMENT)
ACT, 2024 - DATE OF COMMENCEMENT OF THE ACT.

[G.O.Ms.No.27, Law (B), 13th March, 2024.]

NOTIFICATION

In exercise of the powers conferred by sub-section (2) of Section 1 of the Andhra Pradesh Advocates' Welfare Fund (Amendment) Act, 2024 (Act No.4 of 2024), Government hereby appoint the 13th day of March, 2024 as the date on which the provisions of the said Act, shall come into force.

G. SATYA PRABHAKARA RAO,
Secretary to Government,
Legal and Legislative Affairs & Justice,
Law Department.

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THE ANDHRA PRADESH GAZETTE
PART IV-B EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 4] AMARAVATI, WEDNESDAY, 6th MARCH, 2024.

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

The following Act of the Andhra Pradesh Legislature received the assent of the Governor on the 5th March, 2024 and the said assent is hereby first published on the 6th March, 2024 in the Andhra Pradesh Gazette for general information :

ACT No. 4 of 2024

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

Be it enacted by the Legislature of the State of Andhra Pradesh in the Seventy-Fifth year of the Republic of India as follows:

1. (1) This Act may be called the Andhra Pradesh Advocates' Welfare Fund (Amendment) Act, 2024.

Short title,
and
commencement.

(2) It shall come into force on such date as the State Government may, by Notification, in the Andhra Pradesh Gazette, appoint.

2. In the Andhra Pradesh Advocates' Welfare Fund Act, 1987 (hereinafter referred to as the Principal Act), in section 4,-

Amendment
of Section 4.
Act No.33 of
1987.

(1) for clause (g) of sub-section (3), the following shall be substituted, namely,-

"(g) three members nominated by the Bar Council from amongst its members of whom, one shall be nominated by the Committee as the Treasurer of the Fund. Among the three members, one shall be from Rayalaseema."

(2) for sub-section (4), the following shall be substituted, namely,-

"(4) A member elected from the Bar Council under clause (g) of sub-section (3) shall hold office for a term of five (5) years or for the duration of his membership in the Bar Council, whichever is less.

Central Act
No.25 of 1961.

In case of extension of the term of the elected members by the Bar Council of India under section 8 of the Advocates Act, 1961 or otherwise, the duration of the elected members shall be till the extended term.

In case of constitution of the Special Committee by the Bar Council of India under section 8-A of the Advocates Act, 1961, the members of the Special Committee shall become the members of the Welfare Fund Committee along with other ex-officio members."

Amendment
of section 12.

3. In the Principal Act, in section 12,-

(1) for sub-section (1), the following shall be substituted, namely,-

"(1) There shall be printed or cause to be printed by the Commissioner and Inspector General of Registration and Stamps, Andhra Pradesh, in such manner as may be prescribed a combined stamp, superscribed in Telugu language as "*Nyayavadula mariyu vaari Gumasthala Samkshema Nidhi*" each of the value of Rs.250/- (Rupees Two Hundred and Fifty only) through Government Security Printing Press, on an indent placed by the Andhra Pradesh Advocates' Welfare Fund Committee."

(2) in sub-section (2), for the words "rupees hundred", the words and figures "Rs.250/- (Rupees Two Hundred and Fifty only)" shall be substituted.

Substitution of
section 12 A.

4. In the Principal Act, for section 12 A, the following shall be substituted, namely,-

"12 A. Apportionment of subscription and the cost of printing of stamps:

(1) Notwithstanding anything contained in section 12, out of the subscription received on stamps worth of Rs.250/-, a sum of Rs.228/- shall be credited to the "Andhra Pradesh Advocates' Welfare Fund" and Rs.22/- shall be credited to the "Andhra

Pradesh Advocates' Clerks' Welfare Fund" and where such a stamp is affixed to vakalat/Memo of Appearance, the provisions of sub-section (2) of Section 12 shall be deemed to have been complied with.

- (2) The cost of the printing of the stamps under sub-section (1) of section 12 shall be apportioned between the "Andhra Pradesh Advocates' Welfare Fund" constituted under section 3 of the Andhra Pradesh Advocates' Welfare Fund Act, 1987 and the "Andhra Pradesh Clerks' Welfare Fund" constituted under section 3 of the Andhra Pradesh Advocates' Clerks' Welfare Fund Act, 1992 in the proportioned amount.

5. In the Principal Act, Section 12 B shall be omitted.

Act No. 13 of
1992.

Omission of
section 12 B.

G. SATYA PRABHAKARA RAO,
Secretary to Government,
Legal and Legislative Affairs & Justice,
Law Department.

STATEMENT OF OBJECTS AND REASONS

The Andhra Pradesh Advocates' Welfare Fund Committee has stated that in view of the bifurcation of the combined State of Andhra Pradesh in the year, 2014 and consequent bifurcation of the erstwhile Bar Council of Andhra Pradesh in the year, 2019, consisting of thirteen (13) districts, the existing section 4 of the Andhra Pradesh Advocates' Welfare Fund Act, 1987 (hereinafter referred to as the Principal Act) has to be amended to nominate three (3) Members to the Andhra Pradesh Advocates' Welfare Fund Committee, from the thirteen (13) districts.

Having regard to the fact that the Bar Council of India has extended the term of the Bar Council beyond 5 years, it is necessary to amend the Act to ensure that the Elected Members of the Bar Council continue in the Committee till the extended term.

The Andhra Pradesh Advocates' Welfare Fund Committee stated that to avoid delay in granting claim amounts to the applicants by the Advocates' Welfare Fund Committee, after expiring the prescribed term of five (5) years to hold office by the Members, Bar Council, it is necessary to amend section 4(4) of the Principal Act, to confirm to the period of the tenure of the Bar Council.

Considering the request and demands from the Advocates' Community for enhancement of benefits under the Andhra Pradesh Advocates' Welfare Fund Act, to generate funds for welfare of Advocates, a new Section 12B was inserted in the Principal Act to introduce "*Nyayavadula Samkshema Nidhi Stamp*" of Rs.20/- which shall be affixed on Interlocutory Applications and Miscellaneous Petitions, vide the Andhra Pradesh Advocates' Welfare Fund (Amendment) Act, 2023 (Act No.6 of 2023) and the same has come into force with effect from 01.06.2023.

On implementation of Section 12B, certain Bar Associations in Andhra Pradesh have expressed their difficulties in affixing the stamp of Rs.20/- on I.As and M.Ps. Therefore, the Bar Council of Andhra Pradesh has convened a meeting with all the Bar Associations and most of the Bar Associations have suggested to increase the value of the stamp to be affixed on Vakalat / Memo of Appearance from the existing Rs.100/- and to discontinue the affixation of stamp of Rs.20/-. After considering the suggestions of the Bar Associations, the Bar Council of Andhra Pradesh has passed the following resolution:

“to repeal Section 12B of the Principal Act and to enhance “*Nyayavadula mariyu vaari Gumasthala Samkshema Nidhi Stamp*” value from the existing Rs.100/- to Rs.250/-, in which a sum of Rs.228/- shall be credited to the Andhra Pradesh Advocates' Welfare Fund and Rs.22/- shall be credited to the Andhra Pradesh Advocates' Clerks' Welfare Fund.”.

The facts cited under above need immediate intervention, so as to mitigate the hardship faced by the Advocate community by reason of conforming to the requirement of affixing of Rs.20/- on every I.A. and miscellaneous petitions. It is proposed to be replaced by the provision of one time of affixing the stamp of Rs. 250/- instead of affixing the stamp of Rs.100/- at the time of institution of filing of the case. Accordingly, Sections 12 and 12A are to be amended, while the existing Section 12B is to be omitted.

After considering the above circumstances, the Bar Council of Andhra Pradesh and the Andhra Pradesh Advocates' Welfare Fund Committee have recommended to amend sections 4(3)(g), 4(4), 12, 12A and to omit section 12B of the Principal Act.

Accordingly, it has been decided to amend the Andhra Pradesh Advocates Welfare Fund Act, 1987 (Act. No.33 of 1987).

G. SATYA PRABHAKARA RAO,
Secretary to Government,
Legal and Legislative Affairs & Justice,
Law Department.



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PART IV-B EXTRAORDINARY
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No. 6] AMARAVATI, WEDNESDAY, 19th APRIL, 2023.

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

The following Act of the Andhra Pradesh Legislature received the assent of the Governor on the 13th April, 2023 and the said assent is hereby first published on the 19th April, 2023 in the Andhra Pradesh Gazette for general information :

ACT No. 6 of 2023

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

Be it enacted by the Legislature of the State of Andhra Pradesh in the Seventy-fourth Year of the Republic of India as follows: -

1. (1). This Act may be called the Andhra Pradesh Advocates' Welfare Fund (Amendment) Act, 2023. Short Title and Commencement.

(2) It shall come into force on such date as the State Government may, by Notification, in the Andhra Pradesh Gazette, appoint.

2. In the Andhra Pradesh Advocates' Welfare Fund Act, 1987 (hereinafter referred to as the Principal Act), after section 12A, the following section shall be inserted, namely,- Insertion of section 12B.

"12B. Printing, Custody and Distribution of Andhra Pradesh Advocates' Welfare Fund Stamp,-

(1) There shall be printed or cause to be printed by the Commissioner and Inspector General of Registration and Stamps, Andhra Pradesh, Amaravati, in such manner as may be prescribed, superscribed in Telugu language as "Nyayavadula Sankshema Nidhi"

Act No. 33 of 1987.

each of the value of twenty rupees through Government Security Printing Press, on an indent placed by the Andhra Pradesh Advocates' Welfare Fund Committee in such form as may be prescribed.

(2) Every Interlocutory Application, Miscellaneous, Revenue Petitions and Criminal Miscellaneous Petitions, filed by Advocates, before any Court, Authority, Tribunal, Quasi Judicial Authorities, Forum or Commission, including the Interlocutory Applications and petitions filed by the Law Officers, appearing for the State and Central Governments and their instrumentalities, shall be affixed with the Stamp worth of rupees twenty and no such Interlocutory Application or Petition shall be valid or accepted without such Stamp.

The subscription received on such stamp shall be credited to the Account of the "Subscription to the Andhra Pradesh Advocates' Welfare Fund" to be opened separately for the said purpose.

(3) The person or authority receiving an Interlocutory Application or Petition shall forthwith effect cancellation of the stamp by punching out the same.

(4) The custody and distribution of Stamps shall be with the Andhra Pradesh Advocates' Welfare Fund Committee and distribution of the Stamps shall be through recognized Bar Associations."

Amendment of
section 13

3. In the Principal Act, in section 13, -

(i) for sub-section (2), the following shall be substituted, namely,-

"(2) Every application for recognition and registration shall be accompanied by the common bye-laws, framed by the Bar Council, together with the list containing the names of office bearers as well as members of the Association with their enrolment number, address, age and mobile number. The Bar Associations shall make necessary Amendments to the bye-laws, whenever common bye-laws are amended by the Council.

Provided that, the Bar Associations, already recognized under sub-section (1) of section 13, shall adopt the common bye-laws framed by the Bar Council and shall make necessary amendments to the bye-laws, whenever common bye-laws are amended by the Council.

Provided further that, in case, the Bar Associations fail to adopt the common bye-laws framed by the Bar Council as amended by it from time to time, the Council can derecognize the concerned Associations, if it fails to adopt the same within the time as specified by the Council, by giving notice to that extent."

(ii) in sub-section (4), after the words "the Recognition", the expression " , De-recognition" shall be inserted.

4. In the Principal Act, in Section 15, in sub-section (5) in clause (a) for the words "one hundred" the words "one thousand" and for the words "two thousand" the words "five thousand" shall be substituted.
5. In the Principal Act, for schedule, the following Schedule shall be substituted, namely,-

Amendment of section 15.

Substitution of the Schedule

SCHEDULE

(See Sections 9 and 16)

S.No.	Years of Standing	Amount Payable
1.	30	1,80,000
2.	29	1,74,000
3.	28	1,68,000
4.	27	1,62,000
5.	26	1,56,000
6.	25	1,50,000
7.	24	1,44,000
8.	23	1,38,000
9.	22	1,32,000
10.	21	1,26,000
11.	20	1,20,000
12.	19	1,14,000
13.	18	1,08,000
14.	17	1,02,000
15.	16	96,000
16.	15	90,000
17.	14	84,000
18.	13	78,000
19.	12	72,000
20.	11	66,000
21.	10	60,000
22.	9	54,000
23.	8	48,000
24.	7	42,000
25.	6	36,000
26.	5	30,000

G. SATYA PRABHAKARA RAO,
Secretary to Government,
Legal and Legislative Affairs & Justice,
Law Department.