

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

MISCELLANEOUS APPLICATION Diary No(s). 13992/2023

[Arising out of impugned judgment and order dated 20-07-2012 in C.A. No. 3401/2003 20-07-2012 in C.A. No. 3402/2003 passed by the Supreme Court of India]

SUPREME COURT BAR ASSOCIATION .

Petitioner(s)

VERSUS

B.D. KAUSHIK & ANR.

Respondent(s)

(IA No. 82106/2023 - APPLICATION FOR PERMISSION, IA No. 116222/2024 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 128032/2025 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 67733/2026 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 127350/2025 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 67159/2026 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 110943/2025 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 94919/2025 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 269586/2025 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 100486/2026 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 135534/2025 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 69113/2023 - CLARIFICATION/DIRECTION, IA No. 127352/2025 - EX-PARTE STAY, IA No. 69115/2023 - EXEMPTION FROM FILING PAPER BOOKS, IA No. 114762/2024 - INTERVENTION APPLICATION, IA No. 67662/2024 - INTERVENTION APPLICATION, IA No. 127075/2025 - INTERVENTION APPLICATION, IA No. 135414/2026 - INTERVENTION APPLICATION, IA No. 322549/2025 - INTERVENTION APPLICATION, IA No. 89325/2025 - INTERVENTION APPLICATION, IA No. 128028/2025 - INTERVENTION/IMPLEADMENT, IA No. 82489/2026 - INTERVENTION/IMPLEADMENT, IA No. 148498/2026 - INTERVENTION/IMPLEADMENT, IA No. 66240/2026 - INTERVENTION/IMPLEADMENT, IA No. 113969/2026 - INTERVENTION/IMPLEADMENT, IA No. 100362/2026 - INTERVENTION/IMPLEADMENT, IA No. 55359/2024 - MODIFICATION OF COURT ORDER, IA No. 114777/2024 - PERMISSION TO APPEAR AND ARGUE IN PERSON, IA No. 67665/2024 - PERMISSION TO APPEAR AND ARGUE IN PERSON and IA No. 82492/2026 - PERMISSION TO FILE APPLICATION FOR DIRECTION)

WITH

Diary No(s). 17011/2024 (XIV-A)

(IA No. 90603/2024 - APPROPRIATE ORDERS/DIRECTIONS)

MA 338-339/2025 in C.A. No. 3401/2003 (XIV-A)

(IA No. 40741/2025 - APPLICATION FOR PERMISSION, IA No. 40738/2025 - APPLICATION FOR PERMISSION, IA No. 40732/2025 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 40739/2025 - INTERVENTION/IMPLEADMENT and IA No. 45626/2025 - PERMISSION TO APPEAR AND ARGUE IN PERSON)

Diary No(s). 29211/2025 (XIV-A)
(IA No. 136110/2025 - CLARIFICATION/DIRECTION)

Diary No(s). 29297/2025 (XIV-A)
(IA No. 135090/2025 - APPLICATION FOR PERMISSION, IA No. 135085/2025 - APPLICATION FOR PERMISSION, IA No. 135082/2025 - CLARIFICATION/DIRECTION, IA No. 135087/2025 - INTERVENTION/IMPLEADMENT and IA No. 135093/2025 - PERMISSION TO APPEAR AND ARGUE IN PERSON)

Diary No(s). 29483/2025 (XIV-A)
(IA No. 135704/2025 - APPLICATION FOR PERMISSION, IA No. 135707/2025 - APPLICATION FOR PERMISSION, IA No. 135715/2025 - APPROPRIATE ORDERS/DIRECTIONS and IA No. 135710/2025 - INTERVENTION/IMPLEADMENT)

Diary No(s). 29968/2025 (XIV-A)
(IA No. 137368/2025 - APPROPRIATE ORDERS/DIRECTIONS)

Date : 29-05-2026 These matters were called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE K.V. VISWANATHAN

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Mr. Kumar Gaurav, Adv.
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Mr. Ashish Kumar Sinha, Adv.
Mr. Upendra Mishra, Adv.
Mr. Rohit Vats, Adv.
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Ms. Smriti Kumari, Adv.
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Mr. Parmanand Pandey, AOR
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Mr. Birendra Kumar Choudhary, Adv.
Mr. Karan Kaushik, Adv.
Mr. Kartikay Sharma, Adv.
Mr. Arun Kumar, Adv.
Mr. Utkarsh Pandey, Adv.

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Mr. Rajender Singh Chauhan, Adv.
Ms. Anjali Chauhan, Adv.
Ms. Manjula Chaurasia, Adv.

Mr. Biswanath Agrawal, Adv.

Mr. Umesh Kumar Shukla, Adv.
Mr. Pritam Singh, Adv.
Mr. Subas Ray, Adv.

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Mr. Vinay Kumar Rai, Adv.
Mrs. Rajshree Rai, Adv.

UPON hearing the counsel the Court made the following

O R D E R

1. Issue notice on IA No. 148498/2026 (application for intervention/impleadment).

2. This order is in continuation of the interim order of this Court dated 27.04.2026 reserving the post of Vice-President, SCBA, for women members of the Bar in addition to their 33% representation in the Executive Committee, as subsequently modified on 08.05.2026 to the extent that instead of Vice-President, the arrangement made last year has been allowed to continue for 2026 also.

TWO WHEELS OF A CHARIOT

3. The Bench and the Bar are two wheels of a chariot, bound by a shared responsibility to preserve the integrity of the justice delivery system. One cannot function without the other. An independent and a fearless judiciary requires a vibrant, ethical, and a responsible Bar. This is primordial to uphold the rule of law which forms the basic structure of the Constitution. Meaningful reform, particularly in matters concerning Bar elections and institutional functioning, is therefore essential to ensure transparency, accountability, and the continued faith of litigants in the administration of justice.

4. Even prior to COVID-19, several institutional and technological reforms had begun reshaping the justice delivery system; however, the pandemic significantly accelerated this

process, compelling this Court and courts across the country to adopt virtual functioning and demonstrating the resilience and adaptability of both the Bench and the Bar. It is in this evolving environment that the present reforms and suggestions are being considered and implemented to further strengthen the administration of justice.

CASES LEADING TO THE PRESENT MATTER

5. Before this Court's intervention in *SCBA v. BD Kaushik*, (2012) 8 SCC 589, the Rules and Regulations of the SCBA laid down the eligibility criteria for voting by members. The said rules provide for 2 categories of membership for the - (a) temporary membership, (b) regular membership. A temporary member is entitled to avail of facilities of the association but cannot participate or vote in elections to the Executive Committee of the SCBA.

6. To be conferred the status as a "Regular Member", Rule 5(c) of the SCBA Rules provides as follows -

"c) At the end of 2 years period from the date of approval of temporary membership by the Executive Committee, if such temporary member pays SCBA dues without any default during such period and produces the proof of either of the following two requirements before the Executive Committee, his name would be considered for being made a "Regular Member" of the Association:

(i) Appearance in Supreme Court as lead Counsel in at-least 5 matters

in each year of the two years period; or

(ii) Appearance in Supreme Court as a Junior Advocate appearing with any Senior

Advocate/Advocate-on-Record in at-least 20 matters in each year of the two years period.

(iii) Only such of the Temporary Member who satisfy above requirements, at the end of two years period prescribed above, would

be made a "Member" of the Association with an entitlement to all the privileges of the Association including the right to vote and Library Card etc. else he/she shall continue to remain a temporary member till such time he/she fulfils these conditions."

7. Further, even a regular Member is permitted to vote only if such member has no dues and has not voted in any High Court or District Court Bar Association, as per Rule 18.

8. In *Supreme Court Bar Assn. v. B.D. Kaushik*, (2011) 13 SCC 774, this Court noted the special character of court-annexed bar associations and the reciprocal relationship of their members with the court concerned. It held that "*court-annexed Bar Associations constitute a separate class different from other lawyers' associations such as Lawyers' Forum, All India Advocates' Association, etc. as they are always recognised by the court concerned,*" and that "*the very nature of such a Bar Association necessarily means and implies that it is an association representing members regularly practising in the court and responsible for proper conduct of its members in the court and for ensuring proper assistance to the court.*"

9. This Court further held that the right to vote and contest elections could be restricted and made subject to rules, and could be limited to "regular practitioners" before the Supreme Court.

10. Thereafter, in SCBA v. B.D. KAUSHIK, (2012) 6 SCC 152, this Court upheld the mandate of a three-member Implementation Committee to continue with identification of the members of SCBA eligible to vote in the elections in terms of the directions given in Supreme Court Bar Assn. v. B.D. Kaushik, (2011) 13 SCC 774.

11. Since the present M.A. arises out of the third *B.D.Kaushik* judgment and order dated 20-07-2012 in C.A. Nos. 3401-3402/2003 passed by this Court, it would be apposite to refer to the same. This Court therein, dealing with eligibility criteria for voting in SCBA elections, considered and accepted various suggestions put forth by the SCBA and the Implementation Committee.

12. While considering the ambit of the term "regular practitioners", this Court considered various categories of advocates and laid down the parameters to be satisfied by lawyers falling within each category. The same can be summarised in the following chart:

Sl. No.	Category	Parameters
1	Members, SCBA	a. Minimum 50 appearances or 20 filings in a year before the Supreme Court. b. Members who attended the Supreme Court for at least 60 days in the preceding calendar year, as recorded in the proximity card database maintained by the Registrar.
2	Government Counsel, including Government	Continuously representing the State or Central Government before the

	Standing Counsel for any State Government or the Central Government	Supreme Court for at least 3 years, with a minimum of 50 appearances for such Government.
3	Advocates-on-Record	Having 20 filings in a year before the Supreme Court
4	Non-AoR Amicus Curiae & Mediators	Non-AoRs on the Supreme Court Registry's approved Amicus Curiae panel, and members serving as Mediators at the Supreme Court Mediation Centre.
5	Senior Advocates	All Senior Advocates resident in Delhi and attending the Supreme Court. Extended to those residing in satellite towns – Noida, Gurgaon, Faridabad, and Ghaziabad – due to close proximity.

PARADIGM SHIFT

13. As a result of the COVID-19 pandemic, technological adoption was hastened and judicial infrastructure across the country's courts had to adapt to virtual functioning in order to ensure access to justice for all litigants. In this regard, a three-judge bench of this Court in *In Re: Guidelines for Court Functioning Through Video Conferencing During Covid-19 Pandemic* (Suo Motu Writ (CIVIL) NO.5/2020), vide order dated 06.04.2020, observed:

2... Access to justice is fundamental to preserve the rule of law in the democracy envisaged by the Constitution of India. The challenges occasioned by the outbreak of COVID-19 have to be addressed while preserving the constitutional commitment to ensuring the delivery of and access to justice to

those who seek it...

3. Modern technology has enabled courts to enhance the quality and effectiveness of the administration of justice. Technology has facilitated advances in speed, accessibility and connectivity which enable the dispensation of justice to take place in diverse settings and situations without compromising the core legal principles of adjudication. Indian courts have been proactive in embracing advancement in technology in judicial proceedings. The Indian judiciary has incorporated Information and Communication Technology systems through the e-Courts Integrated Mission Mode Project (e-Courts Project) as part of the National e-Governance Plan (NeGP). The robust infrastructure in place has reduced conventional impediments and legal uncertainty surrounding the use of virtual courts. ICT enabled infrastructure is available across all courts including the district judiciary which constitutes the initial interface of the court system with the citizen.

4. The use of technology found judicial recognition in precedent of this Court in *State of Maharashtra v Praful Desai*. This Court held that the term 'evidence' includes electronic evidence and that video conferencing may be used to record evidence. It observed that developments in technology have opened up the possibility of virtual courts which are similar to physical courts. The Court held:

"Advances in science and technology have now, so to say, shrunk the world. They now enable one to see and hear events, taking place far away, as they are actually taking place...Video conferencing is an advancement in

science and technology which permits one to see, hear and talk with someone far away, with the same facility and ease as if he is present before you i.e. in your presence... In fact he/she is present before you on a screen. Except for touching one can see, hear and observe as if the party is in the same room. In video conferencing both parties are in presence of each other... Recording of such evidence would be as per "procedure established by law"

14. This Court went on to issue the following directions in exercise of its powers under Article 142 of the Constitution of India:

"i. All measures that have been and shall be taken by this Court and by the High Courts, to reduce the need for the physical presence of all stakeholders within court premises and to secure the functioning of courts in consonance with social distancing guidelines and best public health practices shall be deemed to be lawful;

ii. The Supreme Court of India and all High Courts are authorized to adopt measures required to ensure the robust functioning of the judicial system through the use of video conferencing technologies; and

iii. Consistent with the peculiarities of the judicial system in every state and the dynamically developing public health situation, every High Court is authorised to determine the modalities which are suitable to the temporary transition to the use of video conferencing technologies;

iv. The concerned courts shall maintain a helpline

to ensure that any complaint in regard to the quality or audibility of feed shall be communicated during the proceeding or immediately after its conclusion failing which no grievance in regard to it shall be entertained thereafter.

v. The District Courts in each State shall adopt the mode of Video Conferencing prescribed by the concerned High Court.

vi. The Court shall duly notify and make available the facilities for video conferencing for such litigants who do not have the means or access to video conferencing facilities. If necessary, in appropriate cases courts may appoint an amicus-curiae and make video conferencing facilities available to such an advocate.

vii. Until appropriate rules are framed by the High Courts, video conferencing shall be mainly employed for hearing arguments whether at the trial stage or at the appellate stage. In no case shall evidence be recorded without the mutual consent of both the parties by video conferencing. If it is necessary to record evidence in a Court room the presiding officer shall ensure that appropriate distance is maintained between any two individuals in the Court.

viii. The presiding officer shall have the power to restrict entry of persons into the court room or the points from which the arguments are addressed by the advocates. No presiding officer shall prevent the entry of a party to the case unless such party is suffering from

any infectious illness. However, where the number of litigants are many the presiding officer shall have the power to restrict the numbers. The presiding officer shall in his discretion adjourn

the proceedings where it is not possible to restrict the number.

15. It is heartening to note that Courts across the nation adapted to the need of the hour, and ensured uninterrupted access to justice by pivoting to virtual mechanisms. Concomitantly, members of the bar, in a strong display of commitment to the interests of litigants, embraced the drastically changed system, and continue to do so even with the COVID-19 pandemic now behind us. It is safe to say that the changes are here to stay. The very changes that allow greater flexibility to advocates and parties in appearing before this Court as well as in marking appearances have necessitated a relook as to what it means to be a "regular practitioner," among other aspects of administration of the SCBA.

PRESENT PROCEEDINGS

16. The present Miscellaneous Application was initially filed seeking relaxation in the rules for participating in the election to the Supreme Court Bar Association because of certain conditions prevailing during the COVID-19 pandemic. Keeping in view the importance of the wider issue at hand, this Court broadened the scope of consideration and, vide orders dated 08.05.2023 and 14.08.2023, invited suggestions from the members of the bar "for laying down explicit guidelines for elections in the future" and "for further reforms in the election process of the Bar Association."

17. Proceedings were regularly held thereafter, and vide order

dated 02.05.2024, this Court observed that the various administrative aspects of the SCBA must be subject to periodic review and reform. It held that:

"3. ...We are of the view that the SCBA is a premier institution and is an integral part of the highest judicial forum of the country. The norms, eligibility conditions, membership, membership fee structure etc., cannot remain static for decades and timely reforms to meet with the challenges that may confront the institution from time to time, are required to be carried out. However, such reforms need to be brought after due consideration of the suggestions from the members of the Bar..."

18. By order dated 24.02.2025, a committee was constituted to facilitate the process of effecting suitable reforms.

"1. In continuation of the deliberations held previously and the orders passed from time to time, Hon'ble Mr. Justice L. Nageswara Rao, former Judge of this Court, has graciously agreed to Chair the Committee to recommend the norms/guidelines/parameters for the reformation and suitable amendments in the Bye-laws regulating election of the Executive Committee to the Supreme Court Bar Association. The proposed reforms may inter alia include the eligibility conditions for contesting the elections. The Committee shall comprise of some Senior Advocates/experienced advocates (from both, Advocates-on-Record and Non-Advocates-on-record category), who have never been interested in contesting the elections as office bearers of the Supreme Court Bar Association."

19. Pursuant to the same, a report was submitted by Justice L. Nageswara Rao. Suggestions have also been received from the SCBA, the 2025 Election Committee, and other members of the bar.

20. We have considered the suggestions submitted across the bar at length. The suggestions of Justice L. Nageswara Rao, the SCBA Executive Committee, and the Election Committee are reproduced below, followed by our final direction with regard to each issue. It must be kept in mind that since the law laid down by the Supreme Court is binding under Article 141 of the Constitution of India, and since all authorities must act in aid of the Supreme Court of India under Article 144, the following directions are issued for aligning the rules of SCBA with the orders of this Court in the present matter.

(I) Issue / Subject	(II) Justice L. Nageswara Rao Committee	(III) SCBA EC Suggestion	(IV) Election Committee Suggestion
SCBA vs. B.D. Kaushik (2011) 13 SCC 774	Recommended that judicial directions issued by the Court from time to time must be incorporated in the Rules.	—	—
Justice L. Nageswara Rao has recommended that judicial directions by this Court must be included in the Rules of SCBA. It was noted that rules have not been suitably amended to incorporate the conditions cast by <i>SCBA v. BD Kaushik</i> , (2012) 8 SCC 589, and continue to be disconnected with the directions of this Court. However, the elections are being held in conformity with the			

judgments of this Court. Thus, SCBA members and persons seeking membership must have clarity on the terms of their membership in the Rules of the SCBA itself. The aforesaid suggestion is sound, and hence accepted.

Direction:

Judicial directions issued by this Court must be incorporated with the Rules of the SCBA in a time-bound manner.

Voting Eligibility			
Advocates with 50 appearances in the Supreme Court in the preceding two years.	No change recommended Note: To address the difficulty faced by junior advocates in having appearances recorded, the Committee suggested that appearances may also be proved through court orders or certification from Senior Advocates or AORs confirming assistance in hearings.	Accepted, subject to condition that 50 appearances required should have at least 75% physical appearances and only 25% virtual. The physical appearance is to be verified from the Proximity Card entry of the day on it is claimed. The virtual entry is to be verified to see if the person had actually joined the hearing in virtual mode. The software in the Supreme Court Registry should be directed to be	-

		aligned for the said purposes. Until the software is upgraded, physical entry should be verified using the proximity card data.	
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Direction:

- i. Advocates with 50 appearances in the Supreme Court in the preceding two years will be eligible.
- ii. Female advocates having 30 appearances in the Supreme Court in the preceding two years will be eligible.
- iii. Advocates with disabilities having 5 appearances in the Supreme Court in the preceding two years will be eligible.
- iv. 75% of such appearances must be physical, while 25% of appearances may be virtual.
- v. Appearances shall be proved from the Record of Proceedings, and may also be proved through court orders.
- vi. Virtual appearances have to be marked separately from physical appearance, and must be indicated separately in the portal. The portal has to be amended accordingly to provide the option of virtual appearance.
- vii. The proximity card entries are to be treated as corroborative. Eligibility cannot be determined solely on the basis of proximity card entries.

Advocate-on-Record (AOR) with an average of 20 filings per year in the preceding two years; or	No change recommended	Accepted	-
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Direction: i. Advocates-on-Record (AOR) with an average of 20 filings per year in the preceding two years will be eligible. ii. Advocates-on-Record with disabilities with an average of 5 filings per year in the preceding two years will be eligible.			
Non AOR members on the panel of mediators in the Supreme Court Mediation Centre, for two years with 20 mediation cases in two years	Add the qualification that the mediation should be undertaken by the member as the lead mediator and not as a trainee.	Accepted	-
By this Court's order dated 01.05.2023 in the present proceedings, the eligibility condition for mediators was modified, and it was directed that a mediator should have conducted at least twenty mediation cases, either physically or through video-conferencing, in two years to be eligible to vote. Direction: i. Non-AOR members on the panel of mediators in the Supreme Court Mediation Centre, for two years with 20 mediation cases in two years shall be eligible. ii. Non-AOR members with disabilities on the panel of mediators in the Supreme Court Mediation Centre, for two years with 5 mediation cases in two years shall be eligible.			
New category	Veteran members	Members with 30	-

	holding membership for 25 years	years SCBA membership and who voted at least 7 times in last 14 years should be included as eligible voters.	
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Direction:

- i. Veteran members holding SCBA membership for more than 25 years will be eligible.
- ii. Veteran members with more than 25 years membership will be eligible to contest only if they have voted at least once in the immediately preceding 5 years.

Chamber allotment in Supreme Court	Remove the category	Chamber allottees must be considered on the basis of at least 20 appearances in the relevant year.	-
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Justice L. Nageswara Rao has recommended the removal of the categories of chamber allotment on the ground that other categories of eligibility require proof of continuous practice in terms of filings and appearances. Moreover, when the condition as to appearance is applied uniformly, chamber allotment categories become redundant. The aforesaid suggestion is sound and hence accepted.

Direction:

Chamber allotment in the Supreme Court shall not be an eligibility criterion.

Waitlisted for chamber allotment	Remove the category	Accepted	-
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Direction:

Being waitlisted for chamber allotment in Supreme Court shall not be an eligibility criterion.

Fifty appearances in preceding three years (for Government counsel) .	Remove the category	Accepted	-
Justice L. Nageswara Rao has recommended the removal of the separate category for government counsel who become eligible upon having 50 appearances in the last 3 years, on the ground that other advocates require 50 appearances in the last 3 years. Justice Rao has noted that government counsel usually have higher appearances before the Court, which does not justify having a lower threshold for eligibility. For the sake of uniformity, this category is recommended to be removed. The aforesaid suggestion is sound, and hence accepted. Direction: Fifty appearances in preceding three years (for Government counsel) shall not be an eligibility criterion.			
Use of proximity card for 60 days in the preceding year.	Remove the category	Proximity Card entry into Supreme Court premises should also be considered, provided that members have entered the Court premises at least 60 times in a year and have at least 20 appearances in that year	-
Justice L. Nageswara Rao has recommended the removal of the category of proximity card use on the ground that the use of			

proximity cards does not indicate actual involvement of an advocate in court proceedings. The aforesaid suggestion is sound, and hence accepted.

Direction:

Use of proximity card for 60 days in the preceding year shall not in itself be an eligibility criterion, but may only be used as corroborative to the criterion of minimum appearances. The primary proof of appearances shall be appearances recorded in the Record of Proceedings and Court orders, as directed above.

				<u>Additional Suggestion as per advocates</u>
Senior Advocates residing in NCR (Delhi, Gurugram, Noida, Faridabad, Ghaziabad).	Remove the category	Accepted	Senior advocate eligible to vote must have 25 appearances in each of the preceding two years	Should be retained as many Senior Advocates might not have adequate appearances but they do have vast experience and reflect the wisdom of the Bar AND Senior Advocates designated by the Hon'ble Supreme Court of India
Justice L. Nageswara Rao has recommended the removal of Senior				

Advocate category on the ground that it does not imply regular practice before the Supreme Court. However, considering the experience and wisdom carried by Senior Advocates, this category should be retained.

Direction:

Senior Advocates residing in NCR (Delhi, Gurugram, Noida, Faridabad, Ghaziabad), including Senior Advocates designated by the Supreme Court, will be eligible.

Non-AOR members on the Amicus Curiae panel of the Supreme Court for preceding two years	Remove the category	Accepted	-
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Justice L. Nageswara Rao has recommended the removal of the category of members on Amicus panel as it does not imply regular practice before the Supreme Court. The aforesaid suggestion is sound, and hence accepted.

Direction:

Empanelment of Non-AOR members on the Amicus Curiae panel of the Supreme Court for preceding two years shall not be an eligibility criterion.

Eligibility to Contest

Rule 18(I-A) provides that a member "must have five years standing at the Bar for contesting for the post of	The Committee recommended that a minimum of Five years permanent membership of SCBA should be mandatory for contesting any	Accepted	The Executive Committee of the SCBA will have representations from all the sections of the Bar.:
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the Office Bearers and three years standing at the Bar for the post of Executive Member."	post. The Committee did not support increasing nomination fees as it may discourage wider participation.		a. Upto 10 years as regular members of SCBA : 3 posts b. 10-20 years as regular members of SCBA : 3 posts c. Above 20 years as regular members of SCBA : 3 posts In each of the categories there shall be at least one women member representation.
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Direction:

A member must have a minimum of five years permanent membership of SCBA for contesting for any post.

President	10 lead appearances resulting in judgments in the	Minimum 20 lead appearances in reported judgments in the last 10 years.	President must have 20 (twenty) appearances as a 'lead counsel' (out of which 10	<u>Additional Suggestion as per advocates</u> Could be accepted in the interest of the Bar
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	preceding 10 years		(ten) must be in reported judgments) in each of the preceding five calendar years	OR 25 reported judgments in the last 20 years
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Direction:

- i. A member contesting for the post of President must have 10 lead appearances in reported judgments in the preceding 10 years in the Supreme Court.
- ii. Alternatively, a member contesting for the post of President must have 25 lead appearances in reported judgments in the preceding 20 years in the Supreme Court.

Vice President	Nil	10 lead appearances in reported judgments in last 10 years.	-
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Direction:

- i. A member contesting for the post of Vice President must have 10 lead appearances in reported judgments in the preceding 10 years in the Supreme Court.

Secretary	Nil	15 lead appearances and 60 proximity card entries in the year preceding election (excluding Registrar Court appearances).	-
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Direction:

- i. A member may contest for the post of Secretary if they satisfy the criterion of having 50 appearances in the Supreme Court in the preceding two years.
- ii. A female member may contest for the post of Secretary if they satisfy the criterion of having 30 appearances in the Supreme Court in the preceding two years.
- iii. A member with disabilities may contest for the post of

Secretary if they satisfy the criterion of having 5 appearances in the Supreme Court in the preceding two years.			
Joint Secretary / Treasurer / Joint Treasurer	Nil	30 appearances and 60 proximity card entries in the preceding year (excluding Registrar Courts).	-
Direction: i. A member may contest for the post of Joint Secretary / Treasurer / Joint Treasurer if they satisfy the criterion of having 40 appearances in the Supreme Court in the preceding two years. ii. A female member may contest for the post of Joint Secretary / Treasurer / Joint Treasurer if they satisfy the criterion of having 25 appearances in the Supreme Court in the preceding two years. iii. A member with disabilities may contest for the post of Secretary Joint Secretary / Treasurer / Joint Treasurer if they satisfy the criterion of having 5 appearances in the Supreme Court in the preceding two years.			
Senior Executive Members and Executive Members	Nil	25 appearances and 60 proximity card entries in the preceding year (excluding Registrar Courts)	-
Direction: i. A member may contest for the post of Senior Executive Member and Executive Member if they satisfy the criterion of having 50 appearances in the Supreme Court in the preceding two years. ii. A female member may contest for the post of Senior Executive Member and Executive Member if they satisfy the criterion of having 30 appearances in the Supreme Court in the preceding two years.			

iii. A member with disabilities may contest for the post of Senior Executive Member and Executive Member if they satisfy the criterion of having 5 appearances in the Supreme Court in the preceding two years.			
-	-	-	Refundable Security Deposit The candidate should make the refundable security deposit along with nomination fee for contesting election. The security deposit would be refunded to those who have been elected or have received more than 20% of the votes polled. Voting by EVM The conduct of elections by paper ballot is a cumbersome process. It is suggested that

			the polling should be held through electronic voting machines (EVM) .
Direction: The proposal for refundable security deposit stands accepted in terms of the order dated 09.05.2025 in the present case. As such, candidates must make the refundable security deposit along with nomination fee for contesting election in terms of order dated 09.05.2025. The aforesaid security deposit would be refunded to all those who have received 15% or more of the valid votes.			
Tenure of Executive Committee and Cooling-off			
Rule 17 envisages the tenure of the Executive Committee as one year.	Two years recommendations under Paras 52, and cooling period can be applied after one term. It also recommended that holding of SCBA elections on the same day as Delhi	Accepted by SCBA Executive Committee without modification. Note: Delhi High Court Bar Association term was extended by the Hon'ble High Court vide its full bench Judgment dated 19.03.2024 in Lalit Sharma	<u>Additional Suggestion as per advocates</u> Could be accepted in the interest of the Bar. Tenure should be two terms of two years and then a cooling period of 1 term - the current norm of 2 terms then 1 term cooling period.

	High Court and District Bar elections.	vs UOI WP © No10363 of 2021		
Justice L. Nageswara Rao has recommended enhancement of tenure of Executive Committee to two years on the ground that in one year, the elected body has an effective mandate of 8-9 months, which is too short to ensure meaningful improvements. Moreover, the logistical challenges and significant expenditure of resources and personnel required in the conduct of elections was also noted. To prevent concentration of power, a cooling off period after one term was recommend. The aforesaid suggestion is sound, and hence accepted. Direction: The tenure of the Executive Committee shall stand increased from 1 to 2 years, effective from 2027. Further, a cooling-off period of 1 term shall be applied after each term.				
Strength of the Executive Committee/Reservation				
-	The Supreme Court has already directed one-third reservation for women in the Executive Committee and post of Office Bearer for woman candidate vide order dated	Already reserved by Hon'ble Court order dated 02.05.2024	Adequate Representation Of Woman Member: Rotational reservation suggested: One Office Bearer post annually among President/Vice-President/Secretary/Treasurer; one Senior Executive Member seat and two Executive Member seats for women. Reservation for Members with Disabilities / Differently Abled	

	02.05.2024. The Committee did not recommend any additional reservation at this stage.		Reservation proposed: 1 Office Bearer post (Joint Treasurer), 1 Senior Executive Member post and 1 Executive Member post reserved for differently-abled advocates. Note: In the event that no eligible Differently Abled Candidate / Member submits a nomination within one month prior to SCBA Election, the reserved post may be opened to others.
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Direction:

- i. The Supreme Court may, on an annual basis, further reserve for women such additional posts as it may direct, but other than the post of President.
- ii. Posts may be reserved for advocates with disabilities as the Court may, by order, direct in a given year, but other than the post of President.

Disqualification

Rule 35 of the SCBA Rules deals with complaints regarding "unprofessional or improper	'Model Code of Conduct' should contain a categorical disqualification for	Acceptable and should be implemented rigorously .	-	<u>Additional Suggestion as per advocates</u> Should be strictly implemented, especially when it is seen that
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conduct" of a Member.	providing inducement in any form, cash or kind, in lieu of votes. A candidate found to have provided inducements must not only be disqualified from contesting the present election but the next election. As part of this rule, mobile phones should not be permitted in the polling booth and other suggestions including sealing on expenditure and convicted person cannot contest			some candidates throw lavish parties.
Direction:				

i. "Model Code of Conduct" should contain a categorical disqualification for providing inducement in any form, cash or kind, in lieu of votes. ii. A candidate found to have provided inducements must not only be disqualified from contesting the present election but the next election also. iii. Mobile phones must not be permitted in the polling booth. iv. A person convicted and sentenced to a term of imprisonment or barred from practice by the Bar Council is prohibited from contesting elections. v. Such other disqualifications as ceiling on expenditure may be introduced. vi. Such Model Code of Conduct must be strictly implemented.			
Other recommendations			
-	'ONE BAR ONE VOTE' Conducting SCBA elections on the same day as Delhi High Court and District Bar elections to enforce the 'one bar one vote' principle. • Providing a common platform on the SCBA website for candidate manifestos. • Allowing members to opt out of campaign messaging. • Early	All suggestions and sub-clause Para 50, 60 & 64 (G) is acceptable	Election Committee to be constituted at least two months prior to the date of polling to smoothly conduct the election. The Committee may be more broad based, consisting of two senior advocates and one Advocate on Record.

	constitution of the Election Committee to ensure better monitoring of elections. • Submission of a self-appraisal report by Executive Committee members at the end of their tenure.		
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Direction:

- i. A common platform must be hosted on the SCBA website with the manifesto of all candidates.
- ii. Members must be allowed to opt out of campaign messaging.
- iii. Elected members to submit a self-appraisal report of their achievements and failures vis-à-vis respective manifestos, on the conclusion of their term.

1. The final directions of this Court are summarised hereinbelow:

S. No.	Category	Direction
1	Incorporation of Judicial Directions	Judicial directions issued by this Court must be incorporated with the Rules of the SCBA in a time-bound manner.
Eligibility for Voting		
2	Members	i. Advocates with 50 appearances in the Supreme Court in the preceding two years will be eligible. ii. Female advocates having 30 appearances in the Supreme Court in the preceding two

		years will be eligible. iii. Advocates with disabilities having 5 appearances in the Supreme Court in the preceding two years will be eligible. iv. 75% of such appearances must be physical, while 25% of appearances may be virtual. v. Appearances shall be proved from the Record of Proceedings, and may also be proved through court orders. vi. Virtual appearances have to be marked separately from physical appearance, and must be indicated separately in the portal. The portal has to be amended accordingly to provide the option of virtual appearance. vii. The proximity card entries are to be treated as corroborative. Eligibility cannot be determined solely on the basis of proximity card entries.
3	Advocate-on-Record (AOR)	i. Advocates-on-Record (AOR) with an average of 20 filings per year in the preceding two years will be eligible. ii. Advocates-on-Record with disabilities with an average of 5 filings per year in the preceding two years will be eligible.
4	Mediators (Non-AOR)	i. Non-AOR members on the panel of

		mediators in the Supreme Court Mediation Centre, for two years with 20 mediation cases in two years shall be eligible. ii. Non-AOR members with disabilities on the panel of mediators in the Supreme Court Mediation Centre, for two years with 5 mediation cases in two years shall be eligible.
5	Veteran Members	i. Veteran members holding SCBA membership for more than 25 years will be eligible. ii. Veteran members with more than 25 years membership will be eligible to contest only if they have voted at least once in the immediately preceding 5 years.
6	Chamber Allotment	Chamber allotment in the Supreme Court shall not be an eligibility criterion.
7	Waitlisted Chamber	Being waitlisted for chamber allotment in Supreme Court shall not be an eligibility criterion.
8	Government Counsel Category	Fifty appearances in preceding three years (for Government counsel) shall not be an eligibility criterion.
9	Proximity Card Use	Use of proximity card for 60 days in the preceding year shall not be an eligibility criterion, but may only be used as corroborative to the criterion of minimum appearances. The primary proof of appearances shall be appearances recorded in the Record of Proceedings and Court orders, as

		directed above.
10	Senior Advocates	Senior Advocates residing in NCR (Delhi, Gurugram, Noida, Faridabad, Ghaziabad), including Senior Advocates designated by the Supreme Court, will be eligible.
11	Amicus Curiae Panel	Empanelment of Non-AOR members on the Amicus Curiae panel of the Supreme Court for preceding two years shall not be an eligibility criterion.
Eligibility for Contesting Elections		
12	General eligibility	A member must have a minimum of five years permanent membership of SCBA for contesting for any post.
13	President	i. A member contesting for the post of President must have 10 lead appearances in reported judgments in the preceding 10 years in the Supreme Court. ii. Alternatively, a member contesting for the post of President must have 25 lead appearances in reported judgments in the preceding 20 years in the Supreme Court.
14	Vice President	A member contesting for the post of Vice President must have 10 lead appearances in reported judgments in the preceding 10 years in the Supreme Court.
15	Secretary	i. A member may contest for the post of Secretary if they satisfy the criterion of having 50 appearances in the Supreme Court in the preceding two years.

		ii. A female member may contest for the post of Secretary if they satisfy the criterion of having 30 appearances in the Supreme Court in the preceding two years. iii. A member with disabilities may contest for the post of Secretary if they satisfy the criterion of having 5 appearances in the Supreme Court in the preceding two years.
16	Joint Secretary / Treasurer / Joint Treasurer	i. A member may contest for the post of Joint Secretary / Treasurer / Joint Treasurer if they satisfy the criterion of having 40 appearances in the Supreme Court in the preceding two years. ii. A female member may contest for the post of Joint Secretary / Treasurer / Joint Treasurer if they satisfy the criterion of having 25 appearances in the Supreme Court in the preceding two years. iii. A member with disabilities may contest for the post of Secretary Joint Secretary / Treasurer / Joint Treasurer if they satisfy the criterion of having 5 appearances in the Supreme Court in the preceding two years.
17	Executive Members	i. A member may contest for the post of Senior Executive Member and Executive Member if they satisfy

		the criterion of having 50 appearances in the Supreme Court in the preceding two years. ii. A female member may contest for the post of Senior Executive Member and Executive Member if they satisfy the criterion of having 30 appearances in the Supreme Court in the preceding two years. iii. A member with disabilities may contest for the post of Senior Executive Member and Executive Member if they satisfy the criterion of having 5 appearances in the Supreme Court in the preceding two years.
Security Deposit		
18	Security Deposit	The proposal for refundable security deposit stands accepted in terms of the order dated 09.05.2025 in the present case. As such, candidates must make the refundable security deposit along with nomination fee for contesting election in terms of order dated 09.05.2025. The aforesaid security deposit would be refunded to all those who have received 15% or more of the valid votes.
Tenure of Executive Committee		
19	Tenure of Executive Committee	The tenure of the Executive Committee to be increased from 1 to 2 years, effective from 2027. Further, a cooling-off period of 1 term to be applied after each term.

Strength of the Executive Committee/ Reservation		
20	Reservation	i. The Supreme Court may, on an annual basis, further reserve for women such additional posts as it may direct, but other than the post of President. ii. Posts may be reserved for advocates with disabilities as the Court may, by order, direct in a given year, but other than the post of President.
Disqualification		
21	Disqualification	i. "Model Code of Conduct" should contain a categorical disqualification for providing inducement in any form, cash or kind, in lieu of votes. ii. A candidate found to have provided inducements must not only be disqualified from contesting the present election but the next election also. iii. Mobile phones must not be permitted in the polling booth. iv. A person convicted and sentenced to a term of imprisonment or barred from practice by the Bar Council is prohibited from contesting elections. v. Such other disqualifications as ceiling on expenditure may be introduced. vi. Such Model Code of Conduct must

		be strictly implemented.
Other Recommendations		
22	Other Recommendations	i. A common platform must be hosted on the SCBA website with the manifesto of all candidates. ii. Members must be allowed to opt out of campaign messaging. iii. Elected members to submit a self-appraisal report of their achievements and failures vis-à-vis respective manifestos, on the conclusion of their term.

22. We place on record our gratitude to Justice L. Nageswara Rao for his detailed report, and express our appreciation for the SCBA Executive Committee, the Election Committee, and all members of the bar for their valuable suggestions.

23. With a view to give effect to most of the reforms in the ensuing elections itself (other than the reforms regarding tenure of two years), we grant one month more time for conducting the elections so that the reforms are in place before conducting the elections. Elections for 2026-2027 shall be held in the week beginning 24th August, 2026.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(PREETHI DILEEP KUMAR)
ASSISTANT REGISTRAR