

**ODISHA STATE BAR COUNCIL
ADVOCATES' WELFARE CORPUS
FUND RULES, 2020**

(Under the Advocates Act, 1961)



**AMENDED RULES
APPROVED BY THE BAR COUNCIL OF INDIA
IN ITS GENERAL COUNCIL MEETING
DATED 06.03.2022**

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**ODISHA STATE BAR COUNCIL ADVOCATES'
WELFARE CORPUS FUND RULES, 2020**

Rules made by the Odisha State Bar Council in exercise of its rule making powers under section 15 of the Advocates Act, 1961.

1. **Short title, extent and commencement.**- (1) This Rule may be called the Odisha State Bar Council Advocates 'Welfare Corpus Fund Rules, 2020.
 - (2) It extends to the whole of the state of Odisha
 - (3) It shall come into force on such date as the Odisha State Bar Council may appoint subject to approval by the Bar Council of India and different dates may be appointed for different provisions of this Rules.
2. **Definitions.**- (1) In these rules, unless the context otherwise requires:-
 - (a) 'Act' means the Advocates Act, 1961 as amended from time to time;
 - (b) 'Odisha State Bar Council' means 'Bar Council of Orissa constituted under Section 3 of the Advocates Act, 1961.
 - (c) 'Bar Council of India' means the Bar Council constituted under Section 4 of the Act.
 - (d) 'State roll' means: a roll of advocates prepared and maintained by Odisha State Bar Council under Section 17 of the Act.
 - (e) 'Advocate' means an advocate in the 'State roll' of Odisha State Bar Council, practising the profession of law, (i) has submitted the verification form and declaration form as prescribed under Bar Council of India certificate and place of practice (verification) Rules, 2015 and has not been declared as a non-practising advocate; (ii) has passed the All India Bar Examination Rules, 2010, (iii) has not incurred any disqualification under any law for the time being in force or as per any rule/rules of Bar Council of India.
 - (f) 'Bar Association' means Bar Association registered under the Societies Act, situated in the State of Odisha and affiliated to the State Bar Council.
 - (g) 'Voter' means an advocate whose name with enrolment number appears in the Electoral Roll of any Bar Association, published by the Council, where he/she has a right to vote in the Bar Association election.
 - (h) 'Rules' means The Odisha State Bar Council Advocates' Welfare Corpus Fund Rules 2020
 - (i) 'Council ' means the Odisha State Bar Council.

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- (j) "Prescribed" means: prescribed by the Rules.
- (k) 'Chairman' means: the Chairman of Odisha State Bar Council.
- (o) 'Secretary' means: the Secretary of Odisha State Bar Council and includes any person howsoever designated and entrusted for the time being with the duties of the Secretary.
- (m) 'Corpus Fund ' means: a fund constituted by the Odisha State Bar Council as Advocates Welfare Corpus Fund.
- (n) 'Pension Fund' means a fund constituted by the Odisha State Bar Council under the Odisha State Bar Council Advocates Welfare (pension, family pension and death benefit) Rules.
- (o) 'Emergency Fund' means: a Fund constituted by Odisha State Bar Council under the Odisha State Bar Council Emergency Financial Assistance Rules.
- (P) 'Madhu Sudan Das' means: Utkal Gourav Madhu Sudan Das who was the leader of the movement for Odisha as a separate province and is known as father of legal profession in Odisha.
- (q) 'Madhu Jayanti' means: the birthday of Madhu Sudan Das which is celebrated as Lawyers Day in the State of Odisha.
- (r) Corpus Fund Account 'means: account opened and maintained in bank in the name of Odisha State Bar Council Advocates' Welfare Corpus Fund.
- (s) Vakalatnama' 'means: a document empowering one or more advocates to appear and act for and on behalf of his/her/their client/clients in any Court or before any tribunal or person legally authorized to take evidence or before any other authority or person before whom such advocate(s) is/are by or under any law for the time being in force entitled to practise as of right under Section 30 of the Act and includes memo of appearance.
- (t) 'Stamp 'means: Odisha State Bar Council Advocates Welfare Corpus Fund stamp.
- (u) 'Accountant' means the Accountant of the Council and includes any person howsoever designated and entrusted for the time being with the duties of the Accountant.
- (v) 'Special Officer, Finance 'means the Special Officer, Finance of the Council and includes the Accounts Officer or any person how so ever designated and entrusted for the time being with the duties of the Special Officer, Finance.
- (w) 'Court' means any court established by/under any law for the time being in force and includes the Supreme Court of India, High Courts, any tribunal, any authority or person legally authorized to take evidence.

- (x) 'Case' means: any case filed in any Court as per any law for the time being in force and includes applications...
- (y) 'Appointed day' in relation to any provision of the Rules, means the day on which that provision comes in to force.

3. Constitution of Corpus Fund:

- (1) The Fund constituted by the Special Committee of the Odisha State Bar Council as 'Odisha State Bar Council Advocates' Welfare Corpus Fund 'shall be the 'Corpus Fund ' defined in rule 2(m) and shall be governed by the Rules from the day it comes into force.
- (2) There shall be credited to this Corpus Fund
 - (a) All sums received from sale of stamps;
 - (b) Grants/Aids received from Govt of India, State government and Bar Council of India;
 - (c) Donations received from public and private sectors, corporate houses, other institutions and individuals;
 - (d) Subscriptions/contributions and donations received from Advocates.
 - (e) Contributions for this Fund received from the applicants for enrolment.
 - (f) Sums lawfully received by the Council from any source not being the dues under any other rules of the Council or Bar Council of India.

4. Accounts:

Accounts of the Corpus Fund shall be maintained by the Accountant under the direct supervision of the Special Officer, Finance subject to control of the Secretary in the manner prescribed by the Council.

5. Printing and Sale of Stamps:

- (1) The Council shall cause to be printed and sold the stamps of the value of one hundred rupees and its value inscribed thereon.
- (2) There shall be inscribed 'Advocates' Welfare Corpus Fund' and Odisha State Bar Council' with head of Madhu Sudan Das at the centre of the Stamp.
- (3) The Stamp shall be of the size 3"x1.5".
- (4) The custody of the stamps shall be with the Secretary.
- (5) Two registers namely
 - (i) Stamp Stock Register, to maintain the day to day stock position of stamps; and
 - (ii) Stamp Sale Register to keep, day to day account of sale of stamps, shall be maintained.
- (6) The sale of stamps shall be through deposit of value of stamps in the Corpus Fund Account of Odisha State Bar Council.

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- (7) The affiliated Bar Associations shall only be permitted to purchase stamps from the Council and sale the same to the advocates & stamp vendors;
- (8) The stamps sold during any financial year or any quarter of the Financial Year to any affiliated Bar Association shall be treated as the stamps affixed by the voters of such affiliated bar association on the Vakalatnama/Memo of appearance during such Financial Year or any quarter(s) of such financial year.
6. **Operation of Corpus Fund Account:**
The Corpus Fund Account shall be jointly operated by the Chairman and Secretary.
7. **In the first week of each financial year, out of the funds received from sale of stamps in the preceding financial year,**
 - (a) Ten percent shall be credited to the Odisha State Bar Council Advocates' Welfare fund Account;
 - (b) Ten percent shall be credited to the Bar Council of India Advocates' Welfare Fund for the State of Odisha Account;
 - (c) Twenty percent of the amount received in the Corpus Fund Account from the sale of stamps shall be distributed amongst the affiliated Bar Association for their growth;
 - (d) The average number of stamps sold per voter of all affiliated Bar Associations during the preceding financial year shall be calculated as per the electoral roll last published for election of affiliated Bar Associations. If the average number of stamps per voter purchased by any affiliated Bar association is more than the average number of stamps per voter sold during the preceding financial year, such affiliated Bar association shall be entitled to get twenty percent of the value of stamps purchased by such affiliated Bar Association and accordingly distribution shall be made to such affiliated Bar Association;
 - (e) After distribution of funds to the affiliated Bar Association eligible under sub rule (d) out of twenty percent of the amount received in the Corpus fund Account from sale of stamps, the remaining amount shall be distributed amongst all other affiliated Bar Association as per sub rule (c) except the affiliated Bar Association coming under sub rule (d);
 - (f) After distribution of funds as per sub rule-e, the remaining amount out of twenty percent of the sale proceeds of the stamps shall be distributed to the remaining affiliated Bar Associations proportionate to the number of voters of such affiliated Bar Association as per the electoral roll last published for the election of the affiliated Bar Association;

- (g) Two percent shall be provided to the Odisha Advocates' Clerk's Welfare fund;
- 7A. If the Executive Body of any affiliated Bar Association makes an application to the Secretary of the Council to provide the amount to which such Bar Association is entitled to get out of the amount received from sale of the stamps during the preceding quarter(s), notwithstanding anything contained in sub rules (c) & (d) of Rule-7.
- i. the amount to be distributed shall be calculated proportionate to the number of voters of each affiliated Bar Association as per the electoral roll last published for Bar Association election;
 - ii. This Rule shall only be applicable to the 1st, 2nd & 3rd quarter so far the amounts received from the sale of stamps during each of such quarters are concerned;
 - iii. The amount to which any such applicant affiliated Bar Association will be entitled out of the amount received from sale of stamps during the entire Financial Year shall be calculated in the 1st week of the next Financial Year as per Sub Rule (c), (d), (e) and (f) of Rule-7 as may be applicable to such affiliated Bar Association and the differential amount shall be provided to concerned Bar Association.
8. **Establishment of Law Libraries:**
- (a) All the Affiliated Bar Associations shall have law libraries named as 'Madhu Sudan Law Library' in the respective Bar Associations.
 - (b) The Bar Associations having such law library shall make application for Library grant from the Advocates' Welfare Corpus Fund every year on or before the 15th April in the form prescribed by the Council.
 - (c) The funds to be released in favor of the eligible Bar Associations shall be;
 - (i) Rs.5,000/- if the number of its voters is not less than 30 and not more than 50;
 - (ii) Rs.7,500/- if the number of its voters is not less than 51 and not exceeding 100;
 - (iii) Rs.15,000/-, if the number of its voters is not less than 101 and not exceeding 300.;
 - (iv) Rs.20,000/-if the number of its voters is not less than 301andnot exceeding 500.;
 - (v) Rs. 25,000/-,if the number of its voters is, not less than 501 and not more than 1000.;
 - (vi) Rs.40,000/-, if the number of its voters is more than 1000 and less than 2500.;

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- (vii) Rs.70,000/-if the number of its voters is more than 2500 and less than 3750.;
- (viii) Rs.1,05,000/-If the number of its voters is more than 3750.
- (d) If at any district headquarters or other place more than one affiliated Bar Association exist and the total number of voters of all those Bar Associations taken together is not less than 301 & not more than 1000,the scale of library grant shall be;
 - (i) Rs.5,000/- for each of the Bar Association having less than 101 numbers of voters;
 - (ii) Rs.7,500- for each of the Bar Associations having not less than 101 and not more than 300 numbers of voters;
 - (iii) Rs.10,000/- for each of the Bar Associations having not less than 301 and not more than 500 numbers of voters.
 - (iv) Rs.15,000/-for the Bar Association having not less than 501 numbers of voters.
- (e) If at any district headquarters or any other place more than one affiliated Bar Association exist and the total number of voters of all such Bar Associations taken together is less than 301,the scale of library grant shall be;
 - (i) Rs. 5,000/- for each of the Bar Associations having not less than 30 and not more than 50 numbers of voters;
 - (ii) Rs.7,500/- for each of the Bar Associations having more than 50 numbers of voters;
 - (iii) If the number of such affiliated Bar Associations is three or more the sum total of the library grant for all those Bar Associations shall not exceed Rs.15,000/- and amount to be provided to such Bar Associations shall be proportionate to the number of voters.
- (f) Sub-rule (c) shall not be applicable to the affiliated Bar Associations coming under sub-rules (d)&(e).
- (g) The library grant under this rule is meant for law books and it is not to be utilized for any other purpose.
- (h) The amount of money to which the respective Bar Associations are entitled as library grant under sub-rule (c), (d) or (e) shall not be directly provided to the President/Secretary or any other office bearer of the Bar Association.
- (i) The library grant shall be provided to the Bar Associations in the shape of law books in such manner that the Bar Associations shall take delivery of the books worth the amount of library grant the respective Bar Associations are entitled to, as per their own selection and payment of the price of the books as per the bills submitted by

the book seller to the council through the President/Secretary of the respective Bar Associations shall be made by the Council.

- (j) In order to ensure compliance of this rule the procedure shall be:
- i. Secretary shall invite applications from the affiliated Bar Associations for library grant.;
 - ii. On receipt of applications the amount of library grant to which the respective applicant Bar Associations are entitled as per the foregoing sub-rules (c),(d)&(e) shall be determined and the same shall be intimated to the President/Secretary of the respective Bar Associations.;
 - iv. President/Secretary of the applicant Bar Associations shall receive requisitions to the approved book seller to provide law books for the amount of library grants determined under clause ii to the respective Bar Associations as selected by the concerned president/Secretary.

9. Financial Assistance to Junior Advocates:

- (1) Financial assistance of Rs.5,000/-shall be provided to Advocates enrolled within five years on the basis of selection made by the executive body of the Bar Association of which the applicant Advocates are voters and the number of Advocates to be selected shall be;
- (a) 2 (two), if the number of voters of the Bar Association is not less than 101 and not more than 300;
 - (b) 5(five), if the number of voters of the Bar Association is not less than 301 and not more than 500;
 - (c) 7(seven), if the number of voters of the Bar Association is not less than 501 and not more than 1000;
 - (d) 11 (eleven), if the number of voters of the Bar Association is not less 1001 and not more than 2500;
 - (e) 25 (twenty five), if the number of voters of the Bar Association is not less than 2501 and not more than 3750;
 - (f) 41(forty-one), if the number of voters of the Bar Association is not less than 3751 and not more than 5,000;
 - (g) 51 (fifty-one), if the number of voters of the Bar Association is more than 5,000;
- (2) On receipt of request from Secretary to furnish the list of advocates to be provided financial assistance under sub rule (1) the Executive of the Bar Association shall invite application and proceed with the process of selection by itself or by a committee to be constituted by the general body of the Bar Association.

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- (3) If the executive body decides to act as the selection committee it has to be authorized by the general body.
- (4) The basis of selection shall be such as may be decided by the general body of the Bar Association.
- (5) As soon as the lists of selected Advocates are received from different Bar Associations financial assistance under sub-rule (1) shall be disbursed.
- (6) The Council may, by resolution, extend sub-rule (1) to Bar Associations where the number of voters is not less than 30 and not more than 100, but the number of Advocates to be selected for financial assistance shall be 1(one) from each such Bar Association.
- (7) The financial assistance as per sub-rule (1) shall be provided to eligible Advocates selected by the Bar Associations, on the request made by the secretary in each financial year.
- (8) No Advocate who has been provided such financial assistance once shall be eligible for it in any subsequent financial year.

10. Installation of Statue of Madhu Sudan Das:

There shall be installed Statue of Madhu Sudan Das in the premises of all affiliated Bar Associations.

- (1) If any Bar Association has no Statue installed in its own premises or in the premises where it functions, such Bar Association shall install a Statue with financial aid from the Council.
- (2) The Bar Associations situated at the district headquarters or at any place where courts of District Judge and/or Additional District Judge functions, may install full Statue of Madhu Sudan Das in standing posture of 7.5' to 8' height in the Bar Association/court premises with financial aid from the Council.
- (3) High Court Bar Association may decide to install a full Statue in standing posture of Madhu Sudan Das of such height, as may be decided by them with financial aid and assistance of the Council.
- (4) The financial aid/assistance to different Bar Associations as per sub rule (2) and (3) shall be,
 - (i) Rs. 1,00,000/-, if the number of voters of the Bar Association is not more than 1000;
 - (ii) Rs. 1,50,000/-, if the number of voters of the Bar Association is not less than 1001 and not more than 2500.;
 - (iii) Rs. 3,00,000/-, if the number of voters of the Bar Association is not less than 2501 and not more than 3750.
 - (iv) Rs. 5,00,000/-, if the number of voters of the Bar Association is not less than 3751.

- (ii) Notwithstanding anything contained in sub rule-2, 3 & 4 of Rule-10 of Odisha State Bar Council Advocates' Welfare Corpus Fund Rules, 2020 the affiliated Bar Associations shall be entitled to avail financial aid of Rs.1,00,000/-(One Lakh) after installing a full statue of Madhu Sudan Das as specified in sub rule-2 of Rule-10 of the said Rules under prior intimation to the Council.
- (5) If at any place described in sub-rule (2) more than one affiliated Bar Association exist and the total number of voters of all the Bar Associations do not exceed 1000, the Bar Association having the highest number of voters shall be entitled to the financial aid under this rule.
- (6) If at any place described in sub-rule (2]more than one affiliated Bar Association exist, and the total number of voters of all the Bar Associations is more than 1000,no Bar Association having less than 400 voters shall be titled to the financial aid under this rule;
- (7) The Bar Associations not eligible under sub-rules (2),(3),(4),(5)&(6) shall otherwise be eligible under sub-rule(1) for financial aid from the Council to install a Statue and the Council shall, considering the applications of such Bar Associations provide financial aid not exceeding Rs.20,000/-to each such Bar Association,
- (8) Financial aid/assistance under this rule shall be provided to the eligible Bar Associations in Phased manner. The number of Bar Associations from each of the categories to be included in any phase shall be decided by the Council considering the funds available in the Corpus Fund and the number of voters of the applicant Bar Associations. Out of the applicant Bar Associations, those having more number of voters shall be given priority.
- (9) If any affiliated Bar Association not eligible under sub-rules (2),(3)&(4) to install a full statue of Madhu Sudan Das with financial aid from the Council, shall notwithstanding anything contained in the foregoing sub-rules, be entitled to avail financial aid of Rs.1,00,000/- after installing a full statue of Madhu Sudan Das of the specification given in sub-rule (2) under intimation to the Council.
- 11. Financial Assistance** for transplantation of human organs like Heart, Kidney, Liver and Lungs, Bone Marrow transplantation and replacement of vital organs like Aortic Valve, Knee, heap , Spinal cord surgery, Brain Tumor surgery and critical surgery related with brain tumor surgery and critical surgery related with Heart, Kidney, Liver and Lungs :
- (1) If any advocate suffering from serious disease/ailment related with any vital organ like Heart, Kidney, Lungs or Liver is advised

- transplantation of such human organ the concerned Advocate on his/her admission as an in-patient in a super specialty hospital for transplantation of any such organ, shall be provided financial assistance of Rs1,00,000/- (Rupees one lakh);
- (2) If any advocate suffering from ophthalmic disease/ailment/problem is advised transplantation of cornea, such advocate on his/her admission in the Eye Hospital for such transplantation, shall be provided financial assistance of Rs 50,000/-(Rupees fifty thousand);
 - (3) If any advocate suffering from disease/ailment related with heart is advised Aortic Valve Replacement or Open heart cardiac surgery or Heart bypass surgery, such advocate, on his/her admission as in-patient in a super specialty cardiac hospital for the said purpose, shall be provided financial assistance of Rs1,00,000/- (Rupees one lakh);
 - (4) If any advocate suffering from problems in knee or heap is advised total knee replacement or total heap replacement such advocate on his/her admission in the super specialty orthopedic hospital for such replacement, shall be provided financial assistance of Rs1,00,000/- (Rupees one lakh);
 - (5) If any advocate suffering from spinal cord injury is advised surgery, such advocate, on his/her admission in a super specialty hospital for such surgery, shall be provided financial assistance of Rs1,00,000/- (Rupees one lakh);
 - (6) If any advocate suffering from brain tumor is advised surgery, such advocate, on his/her admission in a super specialty hospital for such surgery, shall be provided financial assistance up to Rs1,00,000/-(Rupees one lakh) as the Council deem fit to the concerned advocate for such medical treatment and surgery;
 - (7) If any advocate suffering from ailment requiring major critical surgery related with Heart, Kidney, Liver, Lungs is admitted in hospital for such surgery, on his/her admission in a super specialty hospital, shall be provided financial assistance up to Rs1,00,000/-(Rupees one lakh) as the Council deem fit to the concerned advocate for such medical treatment and surgery;
 - (8) If any advocate suffering from ailment requiring transplantation of bone marrow is admitted in hospital for such transplantation, on his/her admission in a super specialty hospital, shall be provided financial assistance of Rs1,00,000/-(Rupees one lakh) to the concerned advocate for such transplantation and medical treatment ;
 - (9) The application for financial assistance in the form prescribed by the Secretary and duly recommended by the President/Secretary of the

- concerned affiliated Bar Association with the documents relating to admission & treatment shall be submitted after admission in the hospital.;
- (10) The financial assistance under this rule shall be provided out of the funds received in the Corpus Fund Account from sale of stamps and such financial assistance shall be over and above the financial assistance provided from the Advocates' Welfare Fund of Odisha State Bar Council and the Bar Council of India Advocates' Welfare Fund for the State of Odisha.;
- (11) The applicant advocate shall after discharge from the hospital produce copy of the discharge certificate indicating transplantation or replacement of organ or surgery as the case may be for record.
- 12. Establishment of Law Library of the Bar Council:**
The Council may provide such funds from the Corpus Fund, not exceeding Rs. 5,00,000/- as it considers fit, for law library of the Council in each financial year.
- 13. Seminars and talks on legal topics:**
As the Council considers fit, shall be provided from the Corpus Fund for conducting seminars and organizing talks on legal topics by eminent jurists.
- 14. Celebration of Madhu Jayanti:**
Funds, as the Council considers necessary for celebration of Madhu Jayanti & Lawyers Day, shall be sanctioned from the Corpus Fund.
15. The Council may, by a resolution passed by at least two third of the total membership increase the number of beneficiary under rule 9, considering the increase of funds received from sale of stamps, but it shall be proportionate to the increase of such funds & number of voters of the Bar Associations.
16. The expenses for printing of stamps and its sale and management of the funds shall be made from the Corpus Fund.
17. Ten percent of the funds received from sale of stamps in each financial year shall be credited to the death benefit fund of the Council in the first week of the next financial year.
- 17A. If any advocate inspite of his/her eligibility to be a member under the Odisha State Bar Council Advocates' Welfare-cum-Death Benefit Scheme, Odisha State Bar Council Advocates' Welfare (Pension, Family Pension and Death Benefit) Scheme, 2006 governed by the Odisha State Bar Council Advocates' Welfare (Pension, Family Pension and Death Benefit) Rules, 2006, Odisha Advocates' Welfare Fund governed by the Odisha Advocates' Welfare Fund Act, 1987 did not availed the membership under any such scheme, on the death of such advocate,

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- (1) Spouse/nominee of the Advocate and if the spouse of the Advocate predeceased the advocate the nominee of the Advocate concerned shall be provided financial assistance of Rs.25,000/- out of the amount received in the Corpus Fund Account from sale of stamps;
- (2) Advocates coming under this rule shall intimate the Secretary in writing (i) the name and other particulars of his/her spouse; (ii) name and other particulars of the nominee, if the spouse is dead; (iii) name of the affiliated Bar Association where he is a voter and (iv) the written intimation shall be recommended by the President/Secretary of the concerned affiliated Bar Association;
- (3) On receipt of the intimation as per sub-rule(2) record of such intimation and the particulars mentioned therein shall be maintained and verified as per the official records;
18. The funds received in the Corpus Fund from any source for particular purpose shall only be utilized for that purpose.
19. The number of advocates in the Advocates 'Welfare (Pension, Family Pension & Death Benefit) Scheme, and the number of Advocates in the State as on 31st March of each financial year shall be reported to the Secretary in the first week of the next financial year. The Secretary shall calculate and find out the percentage of member-advocates out of the (total no. of voters in the electoral roll published for the bar association election), and ten percent of the funds received in the corpus fund during such financial year shall be credited to the Pension Fund Account.
20. The percentage of funds to be credited to the Pension Fund Account from out of the funds received in the Corpus Fund in any financial year, as per rule19, may be enhanced by the Council considering the increase in the number of member-advocates in the Advocates' Welfare (Pension, Family Pension and Death Benefit) Scheme availability of funds in the Pension Fund.
21. **Funds for financial assistance under Odisha State Bar Council Emergency Financial Assistance Rules, 2020:**
 - (1) The Council shall decide the number of needy & eligible Advocates entitled for financial assistance and amount of financial assistance to be provided to each of them.
 - (2) The required amount shall be transferred to the Emergency Fund Account.
 - (3) If the funds received from sale of stamps and available in the Corpus Fund Account is insufficient to meet the requirements, the funds as the Council considers fit shall be transferred from the Pension Fund

Account and the death benefit fund account to the Corpus Fund Account.

- (4) The funds as required shall be transferred from the Corpus Fund Account to the Emergency Fund Account.
- (5) Funds transferred from the Pension Fund Account and the death benefit fund account shall be refunded ten percent simple interest per annum when sufficient funds will be available in the Corpus fund account from sale of stamps.
22. It shall be the duty of the Secretary to implement the Rules in letters & spirit and carry out all functions entrusted to him.
23. Council's power to utilize funds from the Corpus Fund:
The Council shall have power to utilize funds for any purpose related with welfare of Advocates from out of the funds received in the preceding financial year.
 - (1) Funds to be utilized under this rule shall not exceed twenty percent of the funds which remain in the Corpus Fund after making expenditures under the preceding rules.
 - (2) Anything specifically excluded by any rule or excluded by necessary implication and not permitted by any rule shall not be included by this rule.
24. Fifteen percent of the funds received from sale of stamps shall be saved in the Corpus Fund on priority basis in every financial year to provide the funds required for financial assistance to the needy and eligible Advocates entitled to the same under the Odisha State Bar Council Emergency Financial Assistance Rules, 2020 & the funds so saved shall be credited /transferred to the Emergency Fund Account only during extraordinary situation defined in clause h of rule 4 of Odisha State Bar Council Emergency Financial Assistance Rules.
25. Advocates shall affix stamp of the value of Rs.100/- on each and every Vakalatnama, memo of appearance filed, in any court, tribunal or before any other authority or person. No Advocate(s) shall file any Vakalatnama or memo of appearance without affixing the stamp prescribed by the Rules.
26. Filing of Vakalatnama or memo of appearance, in any court or tribunal, or before any other authority or person, by any Advocate/Advocates without affixing the prescribed stamp shall be treated as misconduct under Section 35 of the Advocates Act, 1961.
27. Advocate (s) detected to have filed Vakalatnama in any Court, tribunal or before any other authority or person affixing counterfeit/forged stamp shall be liable to be prosecuted & the omission to affix genuine

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stamp shall be a misconduct under Section 35 of the Advocates Act, 1961.

28. The affiliated Bar Associations shall take all possible steps to ensure that the Advocates (voters) of the respective Bar Associations shall affix the prescribed stamp on the Vakalatnama filed by them & no Vakalatnama or memo of appearance is filed without affixing prescribed stamp.
29. Any contravention of rule 25 by any Advocate, as and when it comes to the notice of the Bar Association, shall be reported to the council for taking appropriate steps under Section 35 of the Advocates Act, 1961.
30. In order to ensure compliance of rule 25, each affiliated Bar Association shall,
 - (i) maintain a register to record the name of the court, case number, name of Advocates and value of stamp affixed in respect of each Vakalatnama/memo of appearance produced before the person authorized by the Bar Association before the same is filed.
 - (ii) report the number of Vakalatnamas/memos of appearance recorded in each financial year as per clause-(i) in the first week of next financial year to the Secretary of the Council.
31. The Bar Associations shall notify rules 25 to 30 for the knowledge of the practicing Advocates/voters of the concerned Bar Association before the appointed day.
32. If any Bar Association fails to comply rule 30 the release of the amount payable to such Bar Association under sub-rule (b) of rule 7 shall be withheld till it is complied with.
33. Nothing, except the expenditures admissible under the foregoing rules, shall be utilized on account of any other Welfare measures for the Advocates unless approved by more than two third members of the Council.
34. It shall be duty of the Secretary to take timely steps for implementation of the Rules.
35. The Chairman shall have all powers of the Council so far related with the implementation of the mandatory provisions of the Rules within the time prescribed.

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