

## **Rajasthan Advocates Welfare Fund (Amendment) Act, 2012**

**26 of 2012**

**[14 October 2012]**

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## **Rajasthan Advocates Welfare Fund (Amendment) Act, 2012**

**26 of 2012**

**[14 October 2012]**

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

Be it enacted by the Rajasthan State Legislature in the Sixty-third Year of the Republic of India, as follows:--

### **1. Short title and commencement :-**

(1) This Act may be called the Rajasthan Advocates Welfare Fund (Amendment) Act, 2012.

(2) It shall be deemed to have come into force on and from 25th May, 2012.

### **2. Amendment of Sec. 15, Rajasthan Act No. 15 of 1987 :-**

In Sec. 15 of the Rajasthan Advocates Welfare Fund Act, 1987 (Act No. 15 of 1987), hereinafter in this Act referred to as the principal

Act, after the existing sub-sec. (2), the following new sub-section shall be added, namely:--

"(3) Every Bar Association shall hold the election timely as per its constitution, rules or by-laws and shall abide by the instructions or directions issued, from time to time, by the Bar Council of Rajasthan or the Bar Council of India."

### **3. Amendment of Sec. 16, Rajasthan Act No. 15 of 1987 :-**

In Sec. 16 of the principal Act,--

(i) the existing proviso to sub-sec. (1) shall be deleted;

(ii) in sub-sec. (5),--

(a) in clause (i), for the existing expression "Rs. 200/-", the expression "Rs. 300/-" shall be substituted;

(b) in clause (ii), for the existing expression "Rs. 500/-", the expression "Rs. 750/-" shall be substituted; and

(c) in clause (iii), for the existing expression "Rs. 750/-", the expression "Rs. 1,250/-" shall be substituted;

(iii) in the first proviso to sub-sec. (5), for the existing expression "Rs. 10,000/-", the expression "Rs. 17,500/-" shall be substituted;

(iv) in the second proviso to sub-sec. (5), for the existing punctuation mark "." appearing at the end, the punctuation mark ":" shall be substituted; and

(v) after the second proviso, amended as aforesaid, the following new proviso shall be added, namely:--

"Provided also that if annual subscription of current year is not paid on or before 30th June, the member of the Fund shall be liable to pay on the amount of arrear an interest at the rate of Rs. 1.50 per hundred per month from the date on which subscription becomes

due."

#### **4. Amendment of Sec. 17, Rajasthan Act No. 15 of 1987 :-**

In sub-sec. (1) of Sec. 17 of the principal Act,--

(i) in the second proviso, for the existing expression "rupees one lac", the expression "rupees two lacs fifty thousand" shall be substituted; and

(ii) after the existing second proviso and before the existing last proviso, the following new proviso shall be inserted, namely:--

"Provided also that the provisions of second proviso shall not be applicable in respect of a member who is admitted or readmitted after the age of forty five years:".

#### **5. Amendment of Sec. 19, Rajasthan Act No. 15 of 1987 :-**

In sub-sec. (1) of Sec. 19 of the principal Act, for the existing expression "ten rupees", the expression "twenty five rupees" shall be substituted.

#### **6. Amendment of Sec. 20, Rajasthan Act No. 15 of 1987 :-**

In sub-sec. (1) of Sec. 20 of the principal Act, for the existing expression "rupees ten", the expression "rupees twenty live" shall be substituted.

#### **7. Amendment of Sec. 25, Rajasthan Act No. 15 of 1987 :-**

For the existing Sec. 25 of the principal Act, the, following shall be substituted, namely:--

"25. Ex-gratia grant to a member of the Fund.--

(1) The Trustee Committee, on an application submitted to it, and after being satisfied about the genuineness of the claim, may allow ex-gratia grant to a member from the Fund-

(a) in case of hospitalization involving a major surgical operation other than that specified in clause (b); or

(b) if he undergoes open heart surgery, organ transplantation or angioplasty or is suffering from tuberculosis, leprosy, paralysis, cancer, unsoundness of mind, AIDS, paraplegia or disablement certified by a Medical Board to be more than fifty per cent or from such other serious diseases.

(2) The grant so allowed shall not exceed a sum of Rs. 40,000/- in cases falling under clause (a) and Rs. 1,00,000/- in cases falling under clause (b):

Provided that the claim shall not be more than once in a period of five years:

Provided further that the member admitted or readmitted after the age of 45 years shall not be entitled to receive any ex-gratia grant."

## **8. Amendment of Schedule, Rajasthan Act No. 15 of 1987 :-**

For the existing Schedule to the principal Act, the following shall be substituted, namely:--

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"SCHEDULE	
[See Sec. 17]	
5 years membership	Rs. 19,000/-
6 years membership	Rs. 22,000/-
7 years membership	Rs. 25,000/-
8 years membership	Rs. 28,000/-
9 years membership	Rs. 31,000/-
10 years membership	Rs. 36,000/-
11 years membership	Rs. 41,000/-
12 years membership	Rs. 46,000/-
13 years membership	Rs. 51,000/-
14 years membership	Rs. 56,000/-
15 years membership	Rs. 61,000/-
16 years membership	Rs. 67,000/-
17 years membership	Rs. 74,000/-

18 years membership	Rs. 81,000/-
19 years membership	Rs. 88,000/-
20 years membership	Rs. 95,000/-
21 years membership	Rs. 1,05,000/-
22 years membership	Rs. 1,15,000/-
23 years membership	Rs. 1,25,000/-
24 years membership	Rs. 1,35,000/-
25 years membership	Rs. 1,45,000/-
26 years membership	Rs. 1,62,000/-
27 years membership	Rs. 1,79,000/-
28 years membership	Rs. 1,96,000/-
29 years membership	Rs. 2,13,000/-
30 years membership	Rs. 2,30,000/-
31 years membership	Rs. 2,55,000/-
32 years membership	Rs. 2,80,000/-
33 years membership	Rs. 3,05,000/-
34 years membership	Rs. 3,30,000/-
35 years membership	Rs. 3,55,000/-
36 years membership	Rs. 3,90,000/-
37 years membership	Rs. 4,25,000/-
38 years membership	Rs. 4,60,000/-
39 years membership	Rs. 4,95,000/-
40 years membership	Rs. 5,30,000/-".

## **9. Repeal and savings :-**

(1) The Rajasthan Advocates Welfare Fund (Amendment) Ordinance, 2012 (Ordinance No. 4 of 2012) is hereby repealed.

(2) Notwithstanding such repeal, all actions taken or orders made under the principal Act as amended by the said Ordinance shall be deemed to have been done, taken or made under the principal Act as amended by this Act.