

Guidelines for Designation of Senior Advocates by the Supreme Court of India, 2023

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Who is a Senior Advocate?

- Under Section 16 of the Advocates Act 1961, two classes of advocates are classified: Senior Advocate and Junior or those who are not designated as seniors.
- The senior advocates play the role of legal experts in India who have significant knowledge in the field of law.
- They are associated with many prominent cases as they are good contributors to the principle of the Rule of Law.
- Special Provisions:
 - A senior advocate shall not appear without an advocate on record in the SC or without an advocate in any other court.
 - A senior advocate shall not accept instructions to draft pleadings or affidavits, advice on evidence, or to do any drafting work of an analogous kind in any Court or Tribunal or before any person or other

authority.

- A senior advocate shall not accept directly from a client any brief or instructions to appear in any Court or Tribunal or before any person or other authority in India.

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- The candidates need to be at least ten years' standing as an Advocate or ten years' combined standing as an Advocate and as a District and Sessions Judge or as a Judicial Member of any Tribunal in India to be designated as Senior Advocates at the SC.
- They must practice mainly in the Supreme Court, but advocates with domain expertise in practising before specialised tribunals may be given concession.
- The age limit for applying for the designation of senior advocate is now 45 years, unless the age limit is relaxed.
- The age limit can be relaxed by the Committee for Designation of Senior Advocates or if the name has been recommended by the Chief Justice of India or a SC judge.
- Criteria:
 - The new guidelines have a revised point system for evaluating candidates.
 - The new criteria include the number of years of practice and the body of work.
- Number of years of practice: Applicants will get a maximum of 20 points, 10 points for 10 years of practice, and 1 point each for every additional year of practice.
- Judgements reported and unreported; pro bono work; domain expertise (such as constitutional): 50 points
- Publication of academic articles, experience of teaching assignments in the field of law, guest lectures delivered in law schools and professional institutions connected with law: 5 points
- Test of personality and suitability based on the interview: 25 points
- Selection:
 - The selection for the designation of senior advocates will be done by the Committee for Designation of Senior Advocates. The Committee is headed by CJI as the Chairperson.
 - The applications will be invited once a year, and the committee will meet twice a year.
 - It will also have a permanent secretariat, whose members will be selected by the CJI and the committee.

Q1) What is the Rule of Law?

In general, the rule of law implies that the creation of laws, their enforcement, and the relationships among legal rules are themselves legally regulated, so that no one—including the most highly placed official—is above the law. The legal constraint on rulers means that the government is subject to existing laws as much as its citizens are.

Source: [Supreme Court Designates 47 Former High Court Judges As Senior Advocates](#)

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