NATIONAL PUBLIC SERVICE TRUST
(Public Welfare • Justice • Development)
(A Social Institution established under Central Act No. 2 of 1882)
Establishment No. – 212/IV/2026
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Ref. No. NPST/130/2026 Dated - 28.10.2026

1- The Hon'ble Chief Minister,
Government of Uttarakhand, Dehradun
Email: cm-ua@nic.in

2- The Principal Secretary (Law)
Government of Uttarakhand, Dehradun
Email: amit.sirohi@aij.gov.in

3- The Secretary (Home)
Government of Uttarakhand, Dehradun
Email: bagaulis@ias.nic.in

4- The Director General of Police
Uttarakhand, Dehradun
Email: bagaulis@ias.nic.in

Subject: Request for enactment and notification of a comprehensive Advocate Protection Act in Uttarakhand and, pending its enactment, immediate statewide SOPs or guidelines for police response to threats, assault, intimidation or obstruction against advocates, so as to protect advocates' professional independence, litigants' access to justice and public confidence in the justice delivery system.

Sir,

National Public Service Trust is a public-interest organisation working for public welfare, justice, the protection of citizens' rights and accountable governance. In furtherance of these objectives, the Trust wishes to draw your kind attention to the need for a comprehensive legal and administrative framework to address threats, violence, intimidation and obstruction faced by

advocates in the course of their professional duties, and to protect the public's access to justice in Uttarakhand.

Advocates are a foundational pillar of legal institutions and an indispensable link between citizens and the justice delivery system. They advise people about their legal rights, assist them in approaching courts and other competent forums, prepare and present their cases, and ensure that grievances can be considered through lawful processes. For citizens who are poor, vulnerable, socially disadvantaged or unfamiliar with legal procedures, an advocate may be their principal means of accessing justice.

The safety of advocates is therefore closely connected with the rights and safety of the people they represent. When an advocate is assaulted, threatened, intimidated or prevented from discharging professional duties, the consequences may extend beyond the individual advocate. A litigant may lose effective access to representation, a victim may be discouraged from pursuing a remedy, and citizens may lose confidence in approaching legal institutions. Those who help citizens secure justice and protect their legal rights must themselves be able to perform that work safely and independently. Protecting advocates also protects litigants' access to justice and the public's confidence in the legal system.

Several States have recognised the need for specific statutory safeguards. Karnataka enacted the Karnataka Prohibition of Violence Against Advocates Act, 2023 and Rajasthan passed the Rajasthan Advocates Protection Bill, 2023, in amended form to address violence and intimidation against advocates. These State-level measures reflect the importance of providing a defined legal response to acts that interfere with advocates' professional duties and threaten the functioning of legal institutions because the independence and proper functioning of the Bar are integral to the administration of justice and affect the public at large.

The Trust has also sought information under the Right to Information Act, 2005, from the Uttarakhand Police Headquarters regarding whether any SOP, standing order or guidelines have been framed to provide a defined police response where an advocate is threatened or assaulted in connection with professional duties, including assessment of the threat and appropriate protection for the advocate. As per the information received by the Trust, no such SOP or guidelines were found on record. This indicates the need for the Government to examine the matter and ensure that advocates are not left without a clear, consistent response mechanism while a dedicated law is being considered and Uttarakhand presently has no dedicated Advocate Protection Act in force. The Trust requests the Government to initiate a time-bound process for enacting and notifying a comprehensive law suited to the needs of the State. This

process may be undertaken in consultation with the Bar Council, Bar associations, police and other relevant authorities.

The proposed law may define violence, threats, intimidation and obstruction connected with an advocate's professional duties; provide for prompt recording and investigation of complaints; require timely assessment of credible threats; enable appropriate protection for an advocate, their family, office or property where circumstances warrant; ensure preservation of relevant evidence; establish coordination among police, prosecution and Bar authorities; and provide appropriate consequences for proven violations. The framework should include safeguards against misuse and ensure that all action remains subject to due process and applicable law.

Pending enactment and commencement of the Act, the Government may notify immediate statewide guidelines or a Standard Operating Procedure for police and district authorities. The procedure may identify a designated officer or channel for receiving complaints, prescribe prompt risk assessment and response, provide for appropriate protective measures where warranted, establish coordination with the concerned Bar association where suitable, and require preservation of relevant evidence and review of action taken. These interim measures would provide a consistent response across districts while the legislative process is underway.

This request is made in the larger public interest and is not confined to the interests of any one professional group. It concerns the safe functioning of legal institutions, the ability of advocates to represent citizens without fear, and the ability of litigants to pursue legal remedies with confidence. A secure and independent Bar contributes to a fair justice system and strengthens public trust in the rule of law and National Public Service Trust therefore requests the Government to consider this matter with urgency, notify interim statewide safeguards, initiate a time-bound process for enactment of a comprehensive Advocate Protection Act in Uttarakhand, and communicate the action taken.

Regards,
Krishnakant
(Chairman)

Copy to (for information) :

1- Bar Council of India
2- Bar Council of Uttarakhand