

(c) The Bar Council of India, a Statutory Body, is allocated and vested with subject matter to promote legal education and to lay down standards of such legal education in consultation with Universities in India and the State Bar Councils under the provisions of the Advocates Act, 1961 (25 of 1961). It is also the function of Bar Council of India to recognize Universities whose degree in law shall be a qualification for enrolment as an advocate and for that purpose to visit and inspect Universities.

Therefore, in the circumstances, no intervention/interference by the Government appears to be desirable in this regard.

**Prosecution for making fake declaration of ordinary place of residence**

2666. SHRIMATI NAZNIN FARUQUE: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether any person is permitted to withdraw his Form 8A for transposition of his name to a particular place of his ordinary residence in the electoral rolls of any Assembly constituency;

(b) if so, under which prescribed rules of Law, the details thereof; and

(c) if the same applicant after withdrawal of his Form 8A, submits another Form 8A simultaneously on the same day by declaring a changed place of his ordinary residence, whether he will be liable to be prosecuted under Section 31 of the RP Act, 1950 for making false declaration of his ordinary place of residence?

THE MINISTER OF LAW AND JUSTICE (SHRI D.V. SADANANDA GOWDA):

(a) and (b) The Election Commission has informed that there is no express legal provision either enabling withdrawal or prohibiting withdrawal of Form 8A by the elector concerned (the applicant), once submitted before the concerned Electoral Registration Officer.

(c) The ECI has informed that this will have to be decided by the Electoral Registration Officer concerned based on the facts and circumstances of specific case. There may be genuine case where a person who submits application in Form 8A for transposition of his name to a different part in the constituency and even while the application is pending with the Electoral Registration Officers, shifts to a third place which may lead him to seek transposition of name to such new place instead of the earlier place. These could be considered by the Electoral Registration Officer based on the facts and material before him and the question of fake declaration, if any, will depend on the facts of the case.