



BOMBAY BAR ASSOCIATION

Room No. 57, 3rd Floor, High Court, Dr. M. Kane Marg, Bombay - 400 032.

STATEMENT

The Bombay Bar Association notes the recent events relating to issuance of summons by Directorate of Enforcement ("ED") to Mr. Arvind Datar and Mr. Pratap Venugopal, two distinguished Senior Advocates. Though, such summons are now withdrawn, the very issuance of such summons, by itself strikes at the very root of protections guaranteed to Advocates by law in India. These recent events have shocked the collective conscience of members of the legal fraternity all across India.

The Bombay Bar Association strongly condemns the steps taken by the ED qua the two distinguished Advocates by issuance of summons, during the course of a money laundering investigation. The issuance of summons by the ED to the two distinguished Senior Advocates, is perceived by the members of this Bar, as a direct attack on the legal community as a whole.

Advocates accept any professional assignment on the basis that during the course of such professional work, they would not have to face intimidation, or threats of any kind. No person including any investigative agency ought to be permitted to take any action, which can have the effect of deterring any Advocate or members of the legal community as a whole from offering their services to any client. The preservation of rule of law can be achieved through strong participation from members of the legal fraternity, who are bound to feel threatened in case a summons is issued by any investigating agency to them, in connection with their professional work. The powers of the ED to investigate are statutory and the same ought to be exercised within the bounds of the entire legal framework established in India, which includes legislations viz. Bharatiya Sakshya

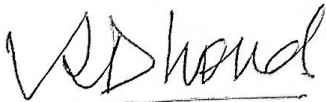
Adhiniyam, 2023, which specifically protects Professional Communication and Confidential Communication between Advocates and their clients.

Right to fair trial and legal aid are facets of right to life and the role of the Advocates in protecting these rights, needs not elaboration. Any attack on an Advocate, direct or indirect, has the consequence of destroying these constitutional ideals, a situation which is anti-thetical to the rule of law, in a democratic country like India. Surely, this is not the *Amrit Kaal*, which we want to see and it is hoped that lessons in Constitutional law are required to be taught in law colleges only and not to officers of investigative agencies, on a daily basis by the respected constitutional Courts in India.

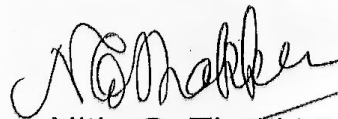
The Bombay Bar Association shall leave no stone unturned in supporting members of the legal fraternity, who may be at the receiving end of over-zealousness of any investigative agency. If found necessary, the Bombay Bar Association would not hesitate to file any suitable legal proceedings before any High Court or the Supreme Court of India, to preserve and protect the right to practice the legal profession, which is also a fundamental right guaranteed under the Constitution of India.

Mumbai

Date



Venkatesh Dhond
Vice. President



Nitin G. Thakker
President



Farhan Dubash
Hon. Secretary