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9891061111

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9818087744

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9811788754

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9818674037

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8800474858

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**STATEMENT ON BEHALF OF THE SUPREME COURT ADVOCATES-
ON-RECORD ASSOCIATION (SCAORA)**

The Supreme Court Advocates-on-Record Association (SCAORA) expresses its strong disapproval and unequivocal condemnation of the Enforcement Directorate's recent issuance of a notice to Mr. Arvind Datar, Senior Advocate, in connection with a legal opinion rendered by him in the course of his professional duties.


This action by the ED is not only unwarranted but reflects a disturbing trend of investigative overreach that threatens the independence of the legal profession and undermines the very foundation of the rule of law. Mr. Datar is a respected Senior Advocate of unimpeachable integrity, who has consistently upheld the highest standards of professional conduct and legal ethics. To summon a senior member of the Bar for discharging his professional responsibility is a misuse of authority and an affront to the sanctity of the advocate's role.

The independence of the judiciary and the independence of the Bar are twin pillars of our constitutional democracy. The effective functioning of courts is impossible without fearless and independent advocates. When investigative agencies resort to coercive measures against advocates merely for giving legal opinions, they do not just target individuals—they strike at the institutional structure that ensures justice. Undermining the professional independence of advocates ultimately threatens the judiciary's independence itself, as both stand or fall together.

The Hon'ble Supreme Court has, time and again, held that advocates are not liable for the alleged acts of their clients simply for rendering legal opinions. The ED's action conflates legal advice with criminal complicity, a proposition that is constitutionally untenable and legally unjustifiable.

This move sends a chilling message to the legal community at large and threatens the foundational right of every citizen to receive independent legal counsel without fear or intimidation. If advocates can be subjected to coercive measures for providing legal advice, it would paralyse the functioning of the legal system and erode public confidence in the justice delivery mechanism.

Even though the said summon issued against Mr Datar has been withdrawn by the ED subsequently, SCAORA lodges it's strong protest against the arbitrary exercise of executive power by the agencies, which is considered as an outreach over the independence of Bar and the Judiciary.


NIKHIL JAIN
Hony. Secretary
SCAORA