

The Touts Act, 1879

(ACT NO. XVIII OF 1879)

An Act to consolidate and amend the law relating to Legal Practitioners.

Preamble

WHEREAS it is expedient to consolidate and amend the law relating to Legal Practitioners; It is hereby enacted as follows:-

CHAPTER I PRELIMINARY

Short title

1. This Act may be called the ¹[Touts Act,] 1879: and shall come into force on the first day of January, 1880.

CHAPTER I PRELIMINARY

Commencement It extends to the whole of ²[Bangladesh].
Local extent

[Repealed] 2. [Repealed by the Repealing Act, 1938 (Act I of 1938), section 2 and Schedule.]

Interpretation-clause 3. In this Act, unless there be something repugnant in the subject or context,-

"Judge" means the presiding judicial officer in every Civil and Criminal Court, by whatever title he is designated:

"Subordinate Court" means all Courts subordinate to the ³[High Court Division], including Courts of Small Causes established under Act No. XI of 1865.

"revenue-officer" includes all Courts (other than Civil Courts) trying suits under any Act for the time being in force relating to land-holders and their

"legal practitioner" means an advocate, ⁴[* * *] mukhtar or revenue agent:

"tout" means a person –

(a) who procures, in consideration of any remuneration moving from any legal practitioner, the employment of the legal practitioner in any legal business; or who proposes to any legal practitioner or to any person interested in an legal business to procure, in consideration of any remuneration moving from either of them, the employment of the legal practitioner in such business; or

(b) who for the purposes of such procurement frequents the precincts of Civil or Criminal Courts or of revenue-offices, or railway stations, landing stages, lodging places or other places of public resort; or

(c) who is declared to be deemed to be a tout for the purposes of this Act by rules made by the ⁵[High Court Division] or the Chief Controlling Revenue Authority, as the case may be, under section ⁶[36A].

CHAPTER II-VII

**(Containing
sections 4-
35)
[Repealed]**

Sections 4-35. [Repealed by section 51 of the Legal Practitioners and Bar Councils Act, 1965 (Act No. III of 1965).]

CHAPTER II-VII

**Power to
frame and
publish list
of touts**

36.(1) ⁷[The Supreme Court], District Judge, Sessions Judge, District Magistrate and, every Revenue-officer, not being below the rank of a Collector of a district (each as regards their or his own Court and the Courts, if any, subordinate thereto), may frame and publish lists of persons proved to their or his satisfaction, or to the satisfaction of any subordinate Court as provided in sub-section (2A) by evidence of general repute or, otherwise, habitually to act as touts, and may, from time to time, alter and amend such lists.

Explanation – The passing of a resolution, declaring any person to be or not to be a tout, by a majority of the members present at a meeting,