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**Constitution**  
**of**  
**Tax Bar Association Ambala**  
**Ambala (Haryana)**

# Memorandum Of Association

## 1. Name of the Association:

The Name of the Society shall be Tax Bar Association Ambala

## 2. Registered Office:

Registered office of the society shall remain at Ambala City in the Ambala District of State of Haryana

And at present it is at the following address:

# 1807, IInd Floor, Sector-9, HUDA, Ambala City -134003

## 3. Area of Operation:                      Haryana

## 4. Aims and Objects:

The aims and objects for which the society is established are as under:

- i. To implement the Rule framed by the Bar Council of India as well as Bar Council of Punjab & Haryana under the Advocates Act, 1961 in letter and spirit.
- ii. To act for the welfare of the member of the Association.
- iii. To undertake all such activities as are in the interest of the members of the association.
- iv. To generate funds for the fulfilment of the aims and objectives of the Association.
- v. To receive funds, subscription, donations and grants etc. by lawful manner and to apply those funds for the welfare of the members and objects of the Association.
- vi. To maintain cordial relations amongst the members of the Association.

- viii. To undertake such steps and plans and execute such schemes and projects which may be in the interest of the members of the Association.
- ix. To approach the concerned authorities for providing better facilities to the members of the Association such as public health, parking of vehicles canteen and mess facilities. Etc.
- x. To manage the property and funds of the Association in a proper manner.
- xi. To manage the canteens, and other activities of the Association.
- xii. To organize recreational and cultural activities for the members of the Association.
- xiii. To look after, manage, supervise and control the affairs of the Association.
- xiv. To employ persons or to execute contract with contractors in order to provide better facilities to the members of the Association.
- xv. To maintain the dignity of the advocates.
- xvi. To maintain and uphold the dignity of the Punjab and Haryana High Court & all other courts established under law as an institution.
- xvii. To act for and in the direction of maintaining the independence of the Judiciary.
- xviii. To act for maintaining the dignity and noble character of the Legal Profession and to enhance the dignity of the Legal Fraternity in the society.
- xix. To undertake the activities such as legal conferences and seminars etc. on Legal Subjects which are helpful to the members of the Bar, Legal institutions, and the general public?
- xx. To make efforts for achieving the goals laid down in the Constitution of India for the betterment of the nation and its people.
- xxi. To provide free legal aid to the weaker sections of the society.
- xxii. To provide legal education and organize training programmers by inviting legal luminaries on different subjects of Law and Constitution for the young members of the Association.
- xxiii. To do all other things necessary discharging the aforesaid functions.
- xxiv. To acquire, purchase or obtain land for the construction of bar room, offices / chambers and residential house / flats for the advocates who are members of Bar Association.
- xxv. To keep its members update with the latest information in the field of Direct and Indirect taxes and in the field of allied laws as far as possible.
- xxvi. To keep liaison with officials of tax departments.
- xxvii. To take cognizance and try to resolve problems of members of the association regarding matters relating to taxes.
- xxviii. To promote and maintain a high standard of professional, brotherhood among the members of the Association.
- xxix. To promote and encourage friendly feelings, fraternity, unity and co-operation among the members in all matters of common interest.

- xxxi. To render the assistance to members and employee of the association in cases of necessity.
- xxxii. To safeguard the civil liberties, fundamental and other rights of the citizens in general and of the legal profession in particular.
- xxxiii. To promote and diffuse knowledge and study of any branch of law and practice concerning VAT, Income Tax, Service Tax, Custom and Excise, GST, Estate Duty and other taxation and allied laws.
- xxxiv. To provide and maintain a common room, consultation room, a library, reading room and other amenities for the use and benefits of the members of the Association.
- xxxv. To associate itself with any work of humanitarian character or public benefit it considered desirable.
- xxxvi. To promote generally the welfare of the Bar.
- xxxvii. To discuss, express, represent and push its view on current topics of general welfare and public interest.
- xxxviii. To seek affiliation with the Bar councils and other like codices.
- xxxix. To provide facilities and conveniences to the members of the Association, to maintain a library, to arrange meetings, conferences and the reading of papers on all taxation laws and allied laws with a view to advancing, propagating, improving and simplifying the laws of taxation for the benefits of its members in particular and of tax payers in general.
- xl. To express opinions on proposed legislation of VAT, Income Tax, Service Tax, Custom and Excise, GST, Estate Duty and concerned laws and to make representations in respect thereof.
- xli. To procure, publish issue and circulate gratuitously or otherwise any reports or periodicals, books, pamphlets, leaflets or other documents.
- xl.ii. To acquire, construct and manage movable and immovable properties of the Association for the attainment of the above mentioned objects.
- xl.iii. To invest and deal with money of the Association not immediately required in such securities and in such manner as may from time to time be determined.
- xliv. To promise, encourage or undertake organised, research and experimental work.
- xl. v. To do all such lawful acts may be incidental or conducive to the attainment of the objects mentioned above or any of them.
- xlvi. To promote and disseminate knowledge and study of any branch of law, jurisdiction and legislation.
- xl. vii. To promote and provide support services to the members of the Association.
- xl. viii. To provide financial assistance through institutional channels in cases of natural calamities or even manmade disasters
- xl. ix. To provide and render services which are of general public utility within the meaning of Sec. 2(15) of the Income Tax Act, 1961.

## 5. Conditions:

- a. The Bar Association may receive any grants, donations, gifts or benefits for all or any of the purposes specified which shall be credited to the Bar Association for that purposes.
- b. The income and property of the society shall be applied solely towards the promotion of the object of the society as hence set-forth in Memorandum of Association and no portion thereof shall be paid to or transferred directly to the members of the society.
- c. No member of the Governing body of the society shall be appointed to any salaried offices of the Association or any office of the Association paid by fees and no remuneration shall be given by the Association to any member of such governing body except repayment of out of pocket expenditure.
- d. The Society/Association by its constitution is required to apply its profits, if any or the other income in promoting its objects.
- e. If upon the winding up or dissolution of the Association there remains after satisfaction of all its debts and liabilities any property whatsoever, it shall not be distributed among the members of the Society, but shall be given or transferred to some other institution having objects similarly to the objects of the society to be determined by the members of the society at or before the time of dissolution.

## 6. Governing Body:

The names, addresses, occupation and designation of the present members of the governing body to whom the rules, bye laws and the management of the society is entrusted as under:

S.No.	Name	Addresses	Occupation	Designation
1)	Jitender K Jindal S/o Sh. Surinder Bhushan Jindal	# 157, Durga Nagar, Ambala Cantt.	Advocate	President
2)	Krishan Gopal S/o Sh. Champa Lal Maheshwari	# 7-A, Tribune Colony, Ambala Cantt.	Advocate	Vice President
3)	Puneet Kumar S/o Sh. Girish Kumar	# 2005 / 6, Tasveera Wali Gali, Ambala City	Advocate	Secretary
4)	Sanjeev Mishra S/o Sh Raj Kumar Sharma	# 176, Sector - 1, Jail Land, Ambala City	Advocate	Joint Secretary
5)	Ashish Jain S/o Sh. Rakesh Jain	# 1096 / 5, Ward-20, Kalal Majri, Walia Chowk, Ambala City	Advocate	Treasurer
6)	Yogesh Kumar Sharma S/o Sh. Shakti Kumar	# 602, Sonia Colony, Hissar Road, Ambala City	Advocate	Library Member In charge
7)	Joginder Pal S/o Sh. Roshan Lal	# 2566 / 2, Kaziwara, Jagadhri Gate, Ambala City	Advocate	Executive Member
8)	Tejinder Kumar S/o Sh Chander Parkash	# 498 / B-155, Jawahar Nagar, Nr. Police Line, Ambala City	Advocate	Executive Member
9)	Varun Ghai S/o Sh. Davinder Ghai	# 14, A / F, New Model Colony, Prem Nagar, Ambala City	Advocate	Executive Member
10)	Vijay Kumar S/o Sh. Mehar Chand	Nr. Kheda Mandir, V.P.O Khanpur Brahmana, Naraingarh (Ambala)	Advocate	Executive Member

## 7. Founder Members :

We the undersigned are fonder members and desirous of forming a society namely  
Tax Bar Association Ambala

in pursuance of this Memorandum of Association of the Society.

S.No.	Name	DOB	Occupation	Addresses	Designation	Signature
1	Jitender K Jindal S/o Sh. Surinder Bhushan Jindal	25.12.66	Advocate	# 157, Durga Nagar, Ambala Cantt.	President	
2	Krishan Gopal S/o Sh. Champa Lal Maheshwari	01.01.68	Advocate	# 7-A, Tribune Colony, Ambala Cantt.	Vice President	
3	Puneet Kumar S/o Sh. Girish Kumar	10.10.87	Advocate	# 2005 / 6, Tasveera Wali Gali, Ambala City	Secretary	
4	Sanjeev Mishra S/o Sh Raj Kumar Sharma	29.03.71	Advocate	# 176, Sector - 1, Jail Land, Ambala City	Joint Secretary	
5	Ashish Jain S/o Sh. Rakesh Jain	07.03.80	Advocate	# 1096 / 5, Ward-20, Kalal Majri, Walia Chowk, Ambala City	Treasurer	
6	Yogesh Kumar Sharma S/o Sh. Shakti Kumar	27.03.81	Advocate	# 602, Sonia Colony, Hissar Road, Ambala City	Library Member In charge	
7	Joginder Pal S/o Sh. Roshan Lal	17.08.78	Advocate	# 2566 / 2, Kaziwara, Jagadhri Gate, Ambala City	Executive Member	
8	Mangesh Goel S/o Sh. Raghunath Sarup Goel	10.01.68	Advocate	# 100 / B / 1. Ajit Nagar, Ambala Cantt.	Executive Member	

9	Man Mohit Sharma S/o Sh. Ravinder Pal Sharma	05.12.86	Advocate	# 173, V.P.O Balana, Hissar Road, Ambala City	Executive Member	
10	Vijay Kumar S/o Sh. Mehar Chand	10.09.76	Advocate	Nr. Kheda Mandir, V.P.O Khanpur Brahmana, Naraingarh (Ambala)	Executive Member	
11	Gulab Singh S/o Sh. Joginder Singh	04.01.79	Advocate	# 35, Vill Kaleran P O Segti, Ambala City	Member	
12	Jai Parkash S/o Sh. Ashru Ram	23.01.83	Advocate	# 2571, Lakkar Mandi, Near Railway Station, Barara	Member	
13	Kapila Chhabra D/o Sh. Om Parkash Chhabra	03.09.75	Advocate	# 4318 / 3, Akhvaron Wali Gali, Banda Mohalla, Nr. Chhota Bazar, Ambala City	Member	
14	Kushal Kumar S/o Sh. Janeshwar Singh	30.11.72	Advocate	# 1097, Ward No 31, C-7, Usha Colony, Jagadhari	Member	
15	Manoj Kumar S/o Sh. Kharaiti Lal	24.11.80	Advocate	# 4515 / 2, New 1133 / 2, W-29, Kaziwara, Nr. Hari Mandir, Ambala City	Member	
16	Neelam Rani D/o Sh. Baljoor Singh	01.01.81	Advocate	Vill Ghararsi PO Barna, Kurukshetra	Member	

17	Nidhi Jindal D/o Sh. Ram Kumar Bindal	08.08.73	Advocate	# 157, Durga Nagar, Ambala Cantt.	Member	
18	Rakesh Dhiman S/o Sh. Pawan Kumar Dhiman	12.08.86	Advocate	# 7- C, Inder Puri, Ambala Cantt.	Member	
19	Ramandeep Singh S/o Sh. Surinder Pal Singh	03.05.85	Advocate	# 844 / 6, Jain College Road, Ambala City	Member	
20	Rupesh Kumar Gupta S/o Sh. Mohan Lal Gupta	03.11.67	Advocate	# 1960 / 2, Ganesh Gali, Nr. Old Tilla Mandir, Ambala City	Member	
21	Sanjeev Kumar S/o Sh. Banarsi Dass	31.12.80	Advocate	# 113 / 1793- 1808, Baldev Nagar, Ambala City	Member	
22	Sanjeev Kumar Sachdeva S/o Sh. Chowdhary Ram Sachdeva	18.05.76	Advocate	# 542, Urban Estate, Sec-8, Ambala City	Member	
23	Sanjiv Kumar S/o Sh. Krishan Lal	11.05.78	Advocate	# 161, Greater Kailash, Jandli, Ambala City	Member	
24	Tejinder Kumar S/o Sh Chander Parkash	25.02.73	Advocate	# 498 / B-155, Jawahar Nagar, Nr. Police Line, Ambala City	Member	
25	Varun Ghai S/o Sh. Davinder Ghai	25.10.83	Advocate	# 14, A / F, New Model Colony, Prem Nagar, Ambala City	Member	

“ All the incomes ,earnings, movable or immovable properties of the society shall be solely utilised and applied towards the promotion of its aims and objects only as set forth in the Memorandum of Association and no portion thereof shall be paid or transferred directly by way of dividends, bonus, profits or in any manner whatsoever, to the present or past members of the society or to any person claiming through any one or more of the present or the past members .No member of the society shall have any personal claim on any movable or immovable properties of the society or make any profit ,whatsoever, by virtue of his membership

Place: Ambala

Dated:

Attested the signatures from No. 1 to 25

**Witness**

I know all the above persons and they have signed in my presence

Signatures of the Attesting  
Officer with Official Seal

Certified that this is the true and correct copy of the Memorandum

President

Secretary

Treasurer

# **Tax Bar Association Ambala** **Ambala (Haryana)**

## **Rules & Regulations and Bye Laws**

### **Chapter - 1**

#### **1. Introduction**

Name of Society : Tax Bar Association Ambala

Registered Office : # 1807, IInd Floor, Sector-9, HUDA,  
Ambala City -134003

Area of Operation : Haryana

#### **2. Definitions**

In these Rules, unless the context otherwise requires.

- (a) **“Advocate”** means an advocate entered in the roll under the provisions of Advocates Act, 1961.
- (b) **“Arrears / Dues”** means accumulated dues of Subscription of Bar, Chamber dues, Parking dues, Library Books & all other charges, penalty, etc., of more than three preceding months.
- (c) **“Member”** means an Advocate enrolled as member of the Tax Bar Association Ambala.
- (d) **“Bar Council”** means a Bar council of Punjab & Haryana constituted under the Advocates Act, 1961.
- (e) **“Bar Council of India”** means the Bar Council constituted under section 4 of the Advocates Act, 1961 for the territories to which the Advocates Act, 1961 extends.
- (f) **“Bar Association”** means the Association of advocates constituted under these rules and regulations.
- (g) **“Committee”** means the Governing Body constituted by the members of the Bar Association,
- (h) **“Sub Committee”** means the committee constituted by the Governing Body for proper regulation and efficient working of the Bar Association, lawyers

- (i) **"Subscription"** means monthly subscription of Bar, Chamber Dues, Parking Shed Dues, Library books and all other dues, penalties etc.
- (j) **"Court"** means all kind of courts (including Punjab and Haryana High Court) and shall include all the tribunals, commissions, forums and any other statutory body and authority where the lawyers are entitled to appear under any provision of law.
- (k) **"General body or General house"** means a body comprising of all the members of all the members of a Bar Association.
- (l) **"Executive committee or any other committee"** by whatever name called, means a body to manage the affairs of a Bar Association.
- (m) **"Welfare Scheme"** shall mean any scheme framed under any law for the time being in force to provide financial help, by whatever name called, to an Advocate and on his death to a person entitled under rules.
- (n) **"Place of Practice:"** An advocate shall be deemed to be ordinary practicing at the place which is given in his address in the electoral roll of the bar council and subsequent change of place of practice duly intimated in writing to the bar council.
- (o) **"Society"** means **the association** registered under the societies act.
- (p) **"Association"** means **"Tax Bar Association Ambala"**
- (q) **"Tax Bar Association Ambala"** is also abbreviated as **"Ambala Tax Bar"**
- (r) **"Bench"** refers to the **"Courts"**
- (s) **"Bar"** refers to the **"Association"**
- (t) **"Prescribed"** means prescribed under the rules.

### **3. Membership:**

A. **Eligibility:-** A person shall be eligible to become a member of the Society, if he / she:

- i) is advocate whose name is for the time being borne on the rolls of State Bar Council shall be eligible for membership of the Association
- ii) is 21 year of age on the date of admission.
- iii) subscribes to the aims and objects of the society.
- iv) has deposited the membership fee.
- v) is not be and insolvent and of unsound mind
- vi) must not have not been convicted of an offence involving moral turpitude, punishable with imprisonment of one year of more.

### **B. Types of Members**

Membership of the association shall be of three kinds:

#### **i. Founder Members**

A member who has been admitted as a founder member at the time of registration of the Society and has paid the requisite membership fee to the society. The founder members shall also be deemed to have become Life Members of the society and shall have the privilege of being members of the collegiums without election, in case the total number of members of the society exceeds 250.

#### **ii. Ordinary Members**

The ordinary members of the Association shall be open to all legal practitioners who have been enrolled as an Advocate by any Bar council under the advocate Act, 1961. They have to pay entrance fee, subscriptions and other charges

#### **iii. Honorary Members**

All retired members of the association shall remain honorary members if they so desire. They shall be exempt from the payment of the annual subscription. Any lawyer may be admitted as honorary members if he is deemed fit for the honour, but he will not entitle to right of vote.

**C. Admission and withdrawal Procedure (for members other than subscribers) :**

Every candidate for membership shall be proposed by one member and seconded by another member who are not in arrears of the account of Bar Association and such proposal shall be accompanied by the Entrance fee and other charges as prescribed from time to time under Rules 3 (D) (i) and 3 (D) (ii) of these Rules. Anyone who desires of becoming a member of the bar shall have to submit his educational certificate in original for verification with a character certificate and it is only after the satisfaction of the Governing Body that the process for the enrolment of such person shall start. If the Governing Body is not satisfied it may reject his application in this behalf. Any person who is known to be a disreputable character or has been convicted for committing any offence which is in the opinion of the Governing Body or General House, as the case may be, will render him unfit to be enrolled as the member of the Bar.

The approval of the Governing Body shall be intimated to the member, his name shall be entered in the register of members, to be maintained in such manner & form as prescribed under the Haryana Societies Registration and Regulation Rules, 2012.

If a person willing to be member of the society submit the application in prescribed form along with supporting documents to the secretary duly filled and signed and recommended by regular member of the society can withdraw his / her membership application before placing the same in the governing body.

**D. Entrance Fee and Subscription :**

- i. **Entrance Fee:** The entrance fee for admission to the Bar Association of a candidate shall be Rs. 500/- (Rs. Five Hundred only) upto 31.05.2017 and after that Rs. 1000/- (Rs. One Thousand Only) plus such other charges as may be prescribed by the General House from time to time. The admission fee may be revised from time to time by the Governing Body.
- ii. **Monthly Subscription:** The monthly subscription for a regular member shall be Rs. 100/- per month which includes a sum of Rs. 25/- as welfare fund. The monthly subscription may be increased by the General House from time to time as it may deem necessary. Each member shall be liable to pay such other charges all dues & bills of lawyers Chamber Complex,

- iii. **Welfare Tickets:** On every Vakalatnama being filed in any courts at Ambala, a mandatory welfare ticket of Rs. 20/- is required to be affixed which shall be stamped by the office of the Tax Bar Association Ambala. The collection of welfare fund and tickets will be spent only on the welfare of Advocates and not for any other exigency or purpose. Any member who fails to affix mandatory welfare ticket, he will be liable for 10 times penalty on each default which will be recovered as arrears of the Bar. The amount of Rs. 20/- of welfare ticket may be revised time to time by the Governing Body of the Bar with the approval of General House.

**E. Identity Card and Membership Certificate for every Member :**

All members admitted as a member will be issued an identity card containing his photograph, brief particulars and membership category, duly signed by the individual member and the secretary. Every member will also be issued a membership certificate duly signed by the President.

**F. Cessation of Membership:**

Reasons for Cessation:

- a. Resignation
- b. Death
- c. Acting contrary to the aims and objectives of the Association
- d. Guilty of financial misappropriation
- e. Attracts the provisions contained in Section 22 of the Act;
- f. **Removal / Termination from Membership:** If a member remains suspended from the membership of the Association for a period of more than one month, his name shall be removed from the rolls of the Association by the General House.
- g. **Suspension or removal from practice:** In case of suspension or removal from practice of the member of the Association by the Bar Council/Bar Council of India/Supreme Court of India, member so suspended or removed shall Ipso-Facto be suspended or removed from the membership of the Association during the period of such suspension or removal.
- h. **Arrear in payment of Subscription:** It shall be the responsibility of every member to clear the subscription. Any member who is in arrears of subscription for more than 3 months shall be deemed to be in arrears of subscription, which shall also include all dues and charges of Bar,

three months that too within 15 days from the dispatch on notice on his/her last recorded address in the record of Association.

- i. **Suspension of Defaulters:** Any member who fails to clear any of his arrears even after notice he shall be deemed to have been suspended from the membership of the Association after the expiry of 15 days period from the notice. The suspended member shall lose his entitlement for all the rights and amenities of a member of the Association and his name shall not be published in the Directory of the Association. Any member, who has been suspended, his/her name shall be displayed on the notice board

**G. Re-admission of Terminated / suspended Members:**

In case of any member has been terminated for want of arrears, he shall have to seek re-registration in fresh and shall have to pay charges as new entrant with extra fee of Rs. 1000/- and period of termination shall not be counted in his/her experience certificate.

**4. Rights and Duties of the Members:**

- I. Members are entitled to the use of the Bar-Room furniture and the services or the servants of the Association on court days and during court hours. They are also entitled to the use of the Bar-Library unless disabled under any above mentioned rules or resolution of the Association.
- II. All members are bound to implicitly obey the rules and resolutions of the Association, any infringement of which if brought to the notice of the secretary, shall be put by him in a meeting of the Governing Body, and the members concerned shall be liable to pay any penalty which may be imposed upon him in such a meeting.
- III. No member shall give or extend, take or receive any professional help or assistance, directly or indirectly inside or outside, the courts, or give or take legal advice hold professional consultation with, or in any manner accommodate in professional work, any person, whose name has been struck off the Rules of the Association. This treatment shall also apply to the case of a non-member who does not take the earliest opportunity of applying for membership of the Association.
- IV. Every member shall inform the Secretary in writing of the names, parentage and full address of his Clerks, and shall also give information of any change in his staff, within one week of such change.
- V. No member shall employ in any manner any person who has been declared undesirable by the Association.

- VII. No member shall allow his clerk to visit the canteen, shop etc. with the object of securing professional work.
- VIII. No person shall employ any person as a clerk who is not 10+2 in education.
- IX. No members shall conduct a case before any court at any place other than usual court hours except when the court is on tour or is inspecting a spot or in cases of applications for bails, injunctions, in case of the violation of this rules member concerned shall forfeit to the Association the entire fee of the case charged by him in addition to any other penalty, if imposed by the association.
- X. No member shall conduct or continue any proceedings in any civil, criminal or revenue case in any court at Ambala, after the court hours prescribed by the High Court or the Finance Commissioner. It shall be the duty of the President to see that the members of the Bar observe this rule rigidly and members of the Bench do not hold courts after the prescribed hours.
- XI. No member shall receive any brief or otherwise take any case from or through any of the following persons namely:-
- a. Any person whom he know or has reasons to be tout;
  - b. Any person whose name is entered on the list of any court as being a tout or on the list of reputed touts kept by the Governing Body.
  - c. Any practicing petition-writer
  - d. Court Officials
- XII. No member shall remunerate any person employed by him for the purpose of his profession by commission, percentage or share in the employer's profession income or any part thereof, or otherwise, than by a monthly salary.
- XIII. No member shall allow any person other than his clerk or his client to visit courts on his behalf directly or indirectly for any purpose whatsoever.
- XIV. No member shall be able to withdraw any Journal from the Library. He will, however be able to get the photo state copy of ruling or journal concerned.
- XV. No member shall accept any case previously being conduction by any other Lawyer unless he obtains a No objection certificate from the previous Lawyers.
- XVI. Text books may be issued to clerk or member themselves for getting relevant portion photocopied which shall be returned by the said person after getting in photocopied. The members can take the textbooks only in Library room and read them there. They may however take a photo copy

XVII. Any repetition or an infringement of these rules may be dealt with by the Governing Body in the manner hereinafter provided.

- a. Any member who shall without the permission of the Secretary take from the Library any book, periodical or newspaper, shall be liable to a sum not exceeding the price that Association has to pay for its replacement within 15 days and in default of payment of such sum or in any case on a repetition of the same breach may also in the discretion of the Governing Body be debarred from the use of the Library for such period as the Governing Body may determine.
- b. Any member who may lose destroy write upon or otherwise deface any book or periodical belonging to the Association, shall be liable to pay a sum to the extent of its cost of replacing the same.
- c. If the penalty is imposed upon a member and such penalty is not paid within seven days of the information to him of the imposition of penalty, the member concerned shall be debarred from using any book, Volume, Periodical or paper of the library either in or out of it until the penalty is full paid.
- d. Members may make any suggestion or complaint in the prescribed book kept for the purposes in the library and the Secretary shall take the necessary action upon all such suggestions and complaints.

XVIII. No publicity shall be given outside to any statements, expression of opinion or conversation of members in the premises at any time occupied by the Association, Any member infringing this rule shall one proof thereon by liable to have his name removed from membership.

- a. No member shall make any noise in the Library.
- b. No person who is not a member shall be admitted to the library unless after the request or on the introduction of a member and then only for a short time for business purposes.
- c. Members will not have papers read out of them in the library.
- d. If any member at any time acts in a manner which may be open to objection in any room occupied by the Association, he may be called to other by any member of the Governing Body who may be present or may be reported by any member of the Association to the Governing Body who may take such action in regard to the same as they may think proper in the circumstances.

XIX. There shall be constituted a library committee by the Governing Body. President and Secretary will be ex-officio members of the library committee who will be entrusted with the purchase library book.

XX. In addition to annual membership fee, members shall be required to pay

- XXI. In case of company lunch/ dinner in honour of incoming and outgoing officers, all the members have to contribute for expenses whether or not they attend the same.

5. **Code of Conduct**

- a. **Professional or other misconduct of members:** A members who is a member of Bar Association shall maintain and abide by high standard of professional conduct and rule as contained in Chapter-II Part-vi of the Bar Council of India Rules framed under the Advocates Act, 1961, regarding standards of professional conduct and etiquette. Further, no members will receive any brief otherwise take any case from or through any of the following persons, namely.

- I. Any person whom he know or has reasons to believe to be a tout;
- II. Any person whose name is entered on the list of any Court as being a tout or on the list of reputed touts kept by the Governing Body.
- III. Any petition writer or any typist on commission or court officials.
- IV. A clerk whose employment by the members of the Association is prohibited by the committee.
- V. Parting with fee with advocate/clerk or any other person.

b. **Punishment of the Members of Bar Association for misconduct:-**

(i) Where on a receipt of complaint or otherwise the Governing Body has reason to believe that any member of the Association has been guilty of professional or other misconduct, It shall conduct and inquiry thereto and after giving the member concerned and the complainant, an opportunity of being heard may pass any of the following orders namely:-

- i. Dismiss the complaint.
- ii. Reprimand the member of the Association.
- iii. Suspend the member from the membership of the Bar Association for such period as it may deem fit:
- iv. Remove the name of the Advocate from the membership of the Bar Association.

The orders passed by the Governing Body of the Association will be the final, subject to approval from the General House.

with it absolute forfeiture of all facilities of the Association along with donations and subscriptions paid to the Association or any unpaid subscription by such member to the Association at the time of such removal of his name or expulsion.

- d. **Cessation from Membership**:- Any member, whose name shall at any time have ceased to be borne on the rolls of Bar Council, shall cease to be a member from the date on which his name is removed from the rolls of the Bar Council.
- e. **Communication Privileged**:- All Communication made to the Committee or inquiries held under the preceding rules shall be deemed to be privileged.
- f. For the purposes of rule the Committee shall maintain a list of persons reputed to be touts, and shall revise the list from time to time. The list shall be open to inspection by member in the Library during business hours of all days other than holidays.

## **Chapter - II**

### **Formation of General Body its Power & Functions**

#### **6. Composition of General Body:**

- a) All members of the Bar Association shall be the member of the General Body. Every ordinary member shall be entitled to cast his / her vote for the election of the Governing body of the society unless he / she is in arrears of payments of any dues of the society including the annual subscription.
- b) No proxy voting shall be allowed.

#### **7. Powers and duties / functions of the general body**

- a) To guide the society in determining and fulfilling its aims and objects.
- b) To decide policy matters such as change of name of the society, amendment in the memorandum of association and the bye laws of the society approval of annual accounts of the society approval for disposal of immoveable assets of the society.
- c) To elect members of the Governing body.
- d) To remove any member from the governing body and according approval to the continuation of a person appointed as a member of the governing body against a casual vacancy.
- e) To do all such other acts as may be required under the Haryana Registration and Regulation of Societies Act & Rules, 2012

#### **8. Quorum / Meeting of the General Body:**

##### **A. Quorum ordinary and Special:**

A meeting of the General House shall be held monthly or in case of any emergency it can be called at anytime. One Tenth members shall form a quorum at General meeting. If for want of required Quorum, meeting is adjourned same quorum shall be required to transact the said business in 2<sup>nd</sup> meeting for the same agenda. If 2<sup>nd</sup> meeting is also adjourned for want of quorum then the next adjourned meeting for the same agenda, no quorum will be required and the members present may take decision on same agenda.

##### **B. Meetings:**

ii) **Special Meeting:** A special General Meeting may be held whenever the Governing Body may consider it desirable to convene one for the disposal of any business which these rule require to be transacted at a General Meeting or which the Governing Body may deem proper to lay before a General Meeting.

iii) **Meeting convened on Requisition:** A special General Meeting shall be convened by the Governing Body whenever a requisition for the same shall be made in manner hereinafter provided:-

- a. One tenth of total strength or more members who are not in arrears of subscription may require the Governing Body to convene a special meeting. Every such requisition shall be made in writing and shall state concisely the nature of the business to be laid before the proposed meeting and the précised terms of every motion which it is proposed to put to the meeting and shall be dated and signed by the members bringing requisition and delivered to the President/Secretary. The requisition shall clearly mention the names along with the legible signatures of the members moving the requisition.
- b. The Governing Body shall within 3 days of the receipt of any such requisition, if the same is found to be in order, convene a special General Meeting for the disposal of the business mentioned therein; but no business other than that entered in the requisition shall be considered at such meeting.

iv) **Annual Budget Meeting:** Annual Budget Meeting shall be called two days before election for passing of accounts. The Balance Sheet and Budget estimates shall be displayed on the notice board at least 15 days before the Annual Budget Meeting.

v) **Notice how effected:** The notice of the meeting shall be given by circular of the same and through SMS and also by displaying on Notice Board in the Bar Room.

Providing that when this rule has been substantially complied with, the non-receipt of notice by any members shall not render, the proceedings of any meeting irregular or affect the validity of any resolution passed in the said meeting.

vi) **President or Vice-President or Chairman to preside:** The President shall take the chair at every meeting in which he is present, In case of his absence, the Vice President shall take the chair. In the absence of both the President and the Vice President the members present shall choose one of their members as Chairman

vii) Every member of the Governing Body shall make Endeavour to attend all meetings and case a member absents himself/herself from three consecutive meetings, he/she shall cease to be the member of the Governing Body.

### Chapter - III

#### **9. Formation of Governing Body:**

a) The Governing Body shall consist of 10 members comprising of 6 office bearers and 4 members of the Executive of the Association. The following shall be the Office Bearers of this Association:

- |      |                        |   |
|------|------------------------|---|
| i.   | <b>President</b>       | <b>:(Enrolled With Bar Council from 10 years)</b> |
| ii.  | <b>Vice-President</b>  | <b>:(Enrolled With Bar Council from 7 years)</b>  |
| iii. | <b>Secretary</b>       | <b>:(Enrolled With Bar Council from 6 years)</b>  |
| iv.  | <b>Joint-Secretary</b> | <b>:(Enrolled With Bar Council from 5 years)</b>  |
| v.   | <b>Treasurer</b>       | <b>:( Enrolled With Bar Council from 5 years)</b> |
| vi.  | <b>Library Member</b>  | <b>:( Enrolled With Bar Council from 4 years)</b> |
- In charge**

#### **b) Four Executive Members:**

Four executive members having enrolment with Bar council from 3 years will be elected from the list of eligible voters.

However the Governing Body may invite any member of the Bar as special invitee in the Executive Committee meeting if require, however said member will have no right to vote.

#### **c) Term and conditions for the governing body election:**

The term of the governing body shall be One year.

No member shall be eligible to hold office of the same post for more than two consecutive terms.

The tenure of the first Governing Body shall be for upto 31.12.2018

The member who joins the association after 31.05.2017 shall be eligible to contest election for any post after completing of regular membership of three years with this bar.

No member of the Association shall be eligible to contest for any post or vote in the election or propose or second any candidate in the election unless.

- i. Member has paid his/her arrears of subscription by 31<sup>st</sup> October of the year or any other dated fixed by the General House if so required and is not in arrears on any account.

- ii. The tentative list of eligible voters shall be published by the Governing Body on or before 5<sup>th</sup> November and thereafter voter list shall be displayed on or before 10<sup>th</sup> November after getting objections if any.
- iii. A person who becomes member of the Association after 31<sup>st</sup> October in a calendar year or any other date fixed by the Governing Body shall not be entitled to take part in any elections held in that calendar year in any manner or vote thereto or propose or second any member of the Committee or any other office of the Association.
- iv. Election will be held as per the instructions / guidelines issued by the State Bar Council.
- v. A member who exercises his right to vote in any other Bar Association, in India in the calendar year in which the election is being held, shall not be eligible to contest for any post of the Bar Association or to cast his vote or propose or second at the election of the Bar Association in that calendar year. All the members / voters of the Association shall be required to give and file a declaration in the form of an affidavit on or before 31<sup>st</sup> October of the calendar year or any other date fixed by the Governing Body in which the elections are being held to the effect that he has not exercised his right to vote in any other Bar Association, in India in that calendar year. The Affidavit shall be on the Performa and pattern as being followed by the Supreme Court Bar Association of India. A member of this Bar Association may be member of any other Bar Association and enjoy all other facilities but his right to vote shall be only at one place, provided however, that if such a declaration is found to be false. It shall entail automatic suspension of the membership for 2 years on the recommendation of the Governing Body for filing such false declaration. The Performa is as under:-

**"Before the Tax Bar Association Ambala"**

Declaration in shape of affidavit for the election of Bar Association to be held on .....

1. That I,.....s/o,d/o,w/o .....enrolment No.....do hereby solemnly affirm and declare that I am the member of the following Bar Associations:-

- i.
- ii.
- iii.

2. That I solemnly declare that I have not exercised my right to vote in this year in the election of any other Bar Association in India and shall exercise my right to vote only in the election of Tax Bar Association Ambala to be held in this Calendar year starting w.e.f. 31<sup>st</sup> October.....

3. That I further state on solemn affirmation that I shall exercise my right to vote only one time at one place in the Bar Association in the calendar year.....

Deponent

Verification:-

Verified that Paras. No. 1 to 3 of my above affidavit is correct to the best of my knowledge. I further declare on solemn affirmation that no part of it is false and nothing has been kept concealed.

Deponent

Place:

Date:

10. **Mode of election or removal of members of governing body:**

The tenure of the Governing Body shall be for one year. The Governing Body shall be over all in charge of the bar affairs and Bar interest subject to the superintendence and control of the General House.

- a. **The Governing Body and Officer of the Association:** The affairs of the Association shall subject to these rules and managed by a Governing Body consisting of the President, Vice-President, Secretary, Joint Secretary, Treasurer and Library in charge and not more than five executive members of the Governing Body.
- b. The President, Vice President, Secretary, Joint Secretary, Treasurer and Library in charge and other member of the Governing Body shall be elected by the eligible voters and shall hold office for one year from the date of their election and thereafter shall cease to be member of the Governing Body. In the event if the election could not be held for any reason whatsoever, then the five Advocates named by the General House will function as the Governing Body till the fresh elections are held positively within one month. The office bearers of the Governing Body shall take of their office after the elections are held. The office bearers may contest the election for two years consecutively for the post.
- c. **Election shall be held as per the procedure prescribed below:**
  - I. The office-bearers as well as other members of the Governing Body shall be elected by Secret ballot by single distributive votes at the Annual Election to be held in 1<sup>st</sup> week of December every year. The election schedule shall be notified by the Governing Body on 15<sup>th</sup> November or on following working days for conduction the election.
  - II. The Governing Body shall conduct the election of next Governing Body for the coming year, however if any office bearer choose to contest the election for second term, then he will not participate in the election process. In case of any other eventuality the election will be conducted by the election committee comprising of 5 members nominated by general house for this purpose.
  - III. **Eligibility of members to contest and vote at election:**
    - (a) No member of the Association shall be eligible to contest for any

3 (D) (ii) or any dues of the bar

- ii. He/she shall pay/deposit non refundable nomination fees by Demand Draft/Cash along with his/her nomination form the sum mentioned against the post for which he/she is seeking election which is as follows:-

<u>Post</u>	<u>Amount</u>
President	: 2500/-
Vice President	: 2000/-
Secretary	: 1500/-
Joint-Secretary	: 1000/-
Treasurer	: 1500/-
Library Member in charge:	1000/-
Executive Members	: 500/- Each

- (b) No member shall be eligible to cast his/her vote at the election unless:-

- i. He/she is in possession of identity Card at the time of casting his/her vote and show it on demand, if so required.
- ii. Any member who is in any arrears of his/her subscription or dues of Chamber Complex, Parking Sheds and Library books/Charges, penalties etc. of the Bar Association shall not be eligible to vote or propose or second the candidature of any member to any of the post. Such member shall not be eligible to contest the election.
- (c) A person who becomes a member of the Association after 31<sup>st</sup> October in a Calendar year or any other date so fixed by the Governing Body shall not be entitled to take part in election held in that Calendar year in any manner or to vote there to or propose or second any member of the committee or any other office of the Association thereto.
- (d) The election of the bar will be held as per guidelines and provisions of "The Bar Association (Constitution & Registration) Rules 2015 of State Bar Council of Punjab & Haryana

#### IV. Guidelines for the Elections:

- a. A candidate may file upto two nominations papers for a post. A nomination paper/set of nomination papers must be accompanied by a Demand Draft/cash towards deposit of security as prescribed. Failure of the candidate to pay the deposit along with the nomination papers shall make the nomination invalid.
- b. A candidate shall be proposed or seconded only by members whose names are included in the final voters list.
- c. No voter shall propose or second more than one candidate for the one post.
- d. Nominations may be filed for more than one post by a candidate, provided each such nomination accompanied separately by the deposit as specified and complies with other formalities. However, a candidate can contest only for one post.
- e. A candidate who has filed nomination for more than one post shall withdraw nominations for post/posts except the one which he/she intends to contest, within the time specified for withdrawal and failure to do so shall disqualify him/her from contesting the election for any of the posts and his/her deposit shall be forfeited.
- f. It will be the sole responsibility of the candidate to see that his/her nomination is properly filed, duly proposed and seconded by the members (who are not in arrears) with their signatures. The office will not be responsible if this is found to be incomplete in any respect.
- g. All voters must be in possession of identity Card and produce the same at the time of issue of Ballot paper or so required.
- h. Contesting candidates will be supplied one copy of voter list free of cost at the time of filing of nomination form. For extra copy Rs. 100/- will be charged.
- i. There shall be no campaigning, distribution of hand bill/pamphlets in the Bar Association premises or in the designated polling area on date of poll and it shall be the responsibility of a candidate to ensure that his/her

**11. Filling of any casual vacancy of Governing Body:**

If the office of President becomes vacant at any time or the President is absent in any meeting the Vice-President shall act as President and if the Vice – President is absent, the Committee may there upon elect one of their members to act as Vice-President until the President returns or another election takes place as the case may be. If the Office of the Vice-President becomes vacant the Committee may fill up the vacancy in the same manner. Casual vacancies occurring amongst other offices or members may be filled up by the Committee. Every such appointment shall hold good until the next election are held.

**12. Power and Functions & Duties of Governing Body:**

a. The Governing Body shall subject to the control of General house has the following powers and functions:-

- I) To maintain such establishment of clerks and servants for the Association.
- II) To appoint and suspend or dismiss any of the employee of the Bar after giving opportunity of hearing;
- III) To determine and regulate the remuneration and duties and conditions of service of all such clerks and or servants.
- IV) To purchase, acquire or obtain land from the government on the concessional rates for providing office / chambers and housing facility to the members of the Bar.
- V) To maintain and regulate the smooth working and proper maintenance of Library, lawyers' chamber complex, parking sheds and canteens booths by maintaining proper income and expenditure record.
- VI) Governing Body is competent to constitute sub-committees from time to time if so required who shall work under the control of Governing Body and shall be presided by the President, for proper upkeep and maintenance of Chamber Complex, Library, Canteen/shops, parking lots etc.
- VII) The Governing Body shall not give shops/canteen on rent beyond its tenure.
- VIII) The office-bearers of the Society shall not be entitled to any remuneration for rendering services to the society.
- IX) The Governing Body will be responsible for achieving the aims & objectives of the Society and shall work in the best interest of the

- X) The Governing Body will be competent to raise funds and purchase property, movable and immovable, on free-hold or lease basis in its name, as decided by it.
- XI) The Governing Body shall have full charge of all immovable properties and moveable assets belonging to or vested in the Society and these will be managed in such a manner as it considers appropriate subject to the overall control and directions of the General Body of the Society.

13. **Meeting / Quorum and notice of Governing Body:-**

- I. **Quorum, Casting votes:** Five members shall constitute a quorum at all meeting of the Governing Body. Each member shall have one vote. The decision of majority of the members present at the meeting shall be deemed to be the decision of the Governing Body. In case the votes for and against any motion shall be equal in number; the Chairman of the meeting shall have a casting vote. In case the quorum is not complete on a particular meeting, the meeting shall be adjourned and on the adjourned date the meeting shall be held by the members present and the quorum shall be deemed to be complete on the adjourned date.
- II. **Chairman of Meeting of Governing Body:** The president shall preside over all meeting of the Governing Body. In his absence the Vice-President shall preside. If neither the President nor the Vice-President shall be present, in any meeting the members present shall elect one of their members to be chairman for that meeting.
- III. **Rules of Business:** The Governing Body may from time to time make subsidiary rules consistent with these rules for the regulation of their own proceedings and the proceedings of all or any sub-committee appointed by them for maintenance of library, chambers, parking sheds, canteen booth, ATM etc as well as for the conduct of business by the Secretary, Joint Secretary, and Treasurer etc. and for regulating the duties of all or any of the servants of the Association and the manner in which the property, account, and records of the Association are to be kept any may from time to time vary, add, to or cancel any rules so made and such variation, addition or alteration shall be displayed on notice board for the information of the members.
- IV. The Secretary with due permission of the President is allowed to spend Rs. 5000/- without obtaining the sanction of the Governing Body before hands, however this expenditure is subject to the approval of the Governing Body.

14.

**Power and Duties of each Office Bearers:**

**a) President:**

- 1) To preside over the meeting and conduct the same in efficient manner.
- 2) To look after the objects of the association.
- 3) To convene the election meeting.
- 4) President shall be head of the Association and shall control all its activities
- 5) To do all such acts, deeds and things as may be authorized by the General Body and/or the Governing Body from time to time
- 6) To allow or disallow discussion on any matter which is not included in the agenda.
- 7) To ensure strict compliance of the provisions of the Haryana Registration and Regulation of Societies Act, 2012 and the rules made there under.

**b) Vice President:**

- 1) To officiate in absence of president.
- 2) If The President is absent, the Vice President is present at any General Meeting; the latter shall take the chair. In the absence of both the President and the Vice President the members present shall choose one of their members to be Chairman for the meeting.

**c) Secretary:**

- 1) To convene the meeting except the election meeting
- 2) To record minutes of the meeting.
- 3) To prepare agenda of the meeting in consultation with president.
- 4) The Secretary shall be Custodian of the furniture, books, stationery and all other property other than money and securities of the Association.
- 5) it shall be the duty of the Secretary to work under the direction of the President and the control of the Governing Body. Letters addressed by the Association any authority shall be issued in the name and under the signatures of the President or the Secretary. Any correspondence to High Court shall be under signatures of both the President & the Secretary.
- 6) A minutes of the proceedings at every General Meeting shall be

General House in the next meeting. In case of failing to do so, the disqualification to remain as secretary for another period of remaining part shall entail.

- 7) The secretary shall be responsible that the following registers and books of accounts are duly maintained in such form as the Committee may from time to time prescribe and that the same are correctly and regularly kept.
  - I. A Register of the Books in the Library showing the value of each book, the amount annual written off from the value of old books, the additions made the book lost, destroyed or sold and the like, the register to be placed before the Committee once every year at least.
  - II. A similar register of the furniture and other property of the Association.
  - III. A printed Catalogue of books in the Library showing the classification and arrangement of the books in the Library in a convenient form. Printed correction slips, showing additions and removal shall be annually supplied to members.
  - IV. Register of Books issued from and returned to the Library.
  - V. A minute book of the proceedings of the Committee and of all Sub Committee, thereof.
  - VI. Minute Book of the proceedings of the General Meeting.
  - VII. A letter Book containing copies of all letters issued and received.
  - VIII. A letter Book containing a note of all letters received.
  - IX. A Subscription Book.
  - X. A Cash book of income and expenditure.
  - XI. A Ledger.
  - XII. A Payment Advance Account.
  - XIII. Counterfoil Receipt Book.
  - XIV. Suggestion Book/ Complaint Book.

d) **Joint Secretary:**

- 1) To officiate the work of secretary in his absence.
- 2) Joint Secretary shall assist the Secretary in the performance of his duties and functions and he shall do all the duties and function as may be assigned to him by the Secretary from time to time.

e) **Treasurer:**

- 3) The Treasurer will also be known as Finance Secretary.
- 4) The Finance Secretary shall have the custody of all moneys and securities of the Association. All sums due to the Association shall be payable to and recoverable by the Finance Secretary. Any sums realized or received by the Secretary shall forthwith be made over by him to be Finance Secretary. However the Finance Secretary cannot retain more than Rs. 2000/- in cash on any occasion and amount exceeding Rs. 2000/- shall be deposited in the Bank account forthwith. The Finance Secretary will examine the cashbook and will sign the same to the effect. Monthly statement of the account shall be pasted on the notice board of the Tax Bar Association Ambala upto the 7<sup>th</sup> day of every month for the information of the members of the Tax Bar Association, Ambala.
- 5) The Finance Secretary or any official authorized by him shall grant receipts for all payments and shall be responsible for all transactions.
- 6) All payments of whatsoever description shall be forthwith paid into Bank and only drawn by means of cheques signed as per rule
- 7) Vouchers for all payments made and signed by the payee shall be put before the committee.
- 8) A monthly statement of income and expenditure should be submitted to the Governing Body and the same be approved by the Committee. The Secretary will pass all the bills which shall be approved by the Governing Body.

f) **Library Member in charge:**

- 1) To look after the library.
- 2) The Member library in charge will also be known as Joint Finance Secretary.
- 3) To officiate the work of finance secretary in his absence.

15. **Cessation of Members of the Governing Body:**

An office-bearer/ executive member of the Governing Body shall cease to be an office-bearer or executive member:

- a) upon submission & acceptance of his resignation;
- b) if he ceases to be a member in accordance with these rules & regulation and bye laws;

16. **Exclusions from the employment of a Society**

- d) No member of the Society shall be in full-time or part-time employment of the Society;
- e) No dependant or family member or close relative of the office-bearers and members of the Governing Body shall be engaged as an employee of the society during its term;

17. **Establishment**

1). The bar association shall employ

- A) One Superintendent
- B) One Librarian,
- C) One Peon,
- D) if need be extra servant

18. **Power and Procedure in Dealing with Employees:**

- I. **Enquiry into offences:** The Governing Body shall have power, either upon complaint or of its own motion to inquire into the conduct of any servant or other employees of the Bar and take suitable action, provided that before the Governing Body takes any action the Committee shall inform the servants or other employee of the Association of the nature of charge and shall afford him a reasonable opportunity or tendering to the Governing Body his explanation, either personally or in writing, and of submitting to the Committee rebutting evidence which he may desire to produce before it.
- II. **Governing Body action in regard to employees:** If, after inquiry, the Governing Body is of opinion that any, servant or employee of the Association has been guilty of a misconduct, it may impose the punishment of dismissal or withholding or increments or any other punishment whichever is deemed fit. Superintendent of Bar will be responsible for working of employees under the instructions of the Governing Body.

19. **Appeals or Review**

- i.) All appeals against the order of Secretary shall lie to the Governing Body and to the Association against the orders of Governing Body.
- ii.) An application for review of a decision of the Association shall be maintainable if it is presented within 30 days of such decision provided that such application is signed by at least 10 members.
- iii.) An application for the review, shall be put up in an extra ordinary meeting and a previous order shall be reversed or modified only if two third of the members present vote for such reversal or modification, Provided that the  $2/3^{\text{rd}}$  are not less in number than those who originally voted in favour of the decision under review.

## **Chapter - IV**

### **20. Sub-Committees:**

#### **Arbitration Committee**

1. All disputes and matters relating to or concerning the affairs or working of the association and its members shall be referred to Arbitration committee consisting management committee.

Aforesaid and five more members whose decision shall be final.

Bar Association shall nominate those three members

#### **Disciplinary Committee**

1. A special disciplinary committee constituting of 3 members shall each year be nominated from amongst the ordinary members of the Association to watch and report on.

A) All the question relating to the practice of touts.

B) The question of professional misconduct of the members of the bar, petition writers and clerk etc.

2 The disciplinary committee shall submit its proposals and findings to the president, Bar association for presentation to a special meeting of the bar association or necessary action.

3. Before formulating its findings or proposals, the committee shall give reasonable notice through stating particulars of the charge to the offending person to show case why action be not taken against him.

#### **Vigilance Committee:**

President and secretary shall be the members'

**Legal Committee:**

The committee shall give its opinion on any legal Matter whenever its opinion is sought by this association. it shall consist of 3 members.

**Copying Agency Committee:**

The legal committee shall see that the certified copies are supplied promptly and without any discrimination to the public. It shall consist of 3 members.

**Purchase committee Kahoka cum-Canteen**

**Committee**

: The purchase committee shall consist of Three members including president & secretary the committee shall supervise. The working of khoka owner and will suggest measures to improve the working. The president and the secretary shall be the Ex-officio members of the committee.

**Library Committee:**

It shall consist of 3 members.

## Chapter - V

### 21. The Library

- a. **Rules of Library:** The Governing Body or the Library Committee may from time to time make subsidiary rules consistent with these rules for the management of the Library and the regulations of its use by members and very, add to or cancel any rules so made.
- b. **List of books not to be removed:** The catalogue of Books in library shall be printed and kept for inspection for any member of Bar.

The Secretary under the directions of the Governing Body shall make a list and from time to time and revise the same of such books, periodicals and newspaper belonging to the Association, which are not to be taken out to the library except with the prior permission of Governing Body.

- c. Every book, periodical or paper taken out from the Library shall be returned within two days or earlier. If not returned the Governing Body has the power to impose any penalty upon the defaulting member provided that in no case shall the penalty exceed double the value of the book or paper detained.
- d. **Losing or damaging Books:-** Any member who may lose, destroy, write upon or otherwise deface any book or periodical belonging to the Association shall be liable to pay a sum which may extend to double of the cost of the book.

If the penalty imposed upon a member is not paid within seven days of the information to him of the imposition of such penalty the member concerned shall be debarred from using any book of the Library either in or out of it until the penalty is fully paid.

- e. **Complaint and Suggestions:-** Member may make any suggestion or complaint in the prescribed Book kept for those purpose in the Library and the Secretary shall take the necessary action upon all such suggestions and complaints.

### 22. Maintenance of order in the Library and other rooms of the Association

- a. **Private Conversation Confidential:** No publicity shall be given to any statements, expression of opinion or conversation in any of the rooms at any time occupied by the Association. Any member violating this rule shall on proof thereof be liable to have his name removed from membership.

- c. **Strangers:** No person who is not a member of Bar Association shall be permitted to the library unless at the request of a member and that too for a short time.
- d. **Clerk:** The clerks of members shall not sit in the Library or other rooms of the Association when not actually engaged with their Advocates for professional work. Member shall not be allowed to use the Library as consultation room and it should not be used as a permanent seat in the library by the members. The Clerks of Advocates will not be allowed to put on white shirts during court hours.
- e. **Committee's powers in regard to maintenance of orders:** The Governing Body may from time to time by resolution in that behalf regulate the manner in which order is to be preserved in the Library.

## **Chapter - VI**

### **23. Sources of Income and Utilisation of Funds**

#### **a) Sources of Income**

- i) Membership Fee
- ii) Annual Subscription
- iii) Donations
- iv) Rent from Property Assets
- v) Interest
- vi) Gifts, etc.

#### **Realization of subscriptions:**

1. Subscription shall due in the month of January Every year.
2. A member from whom Subscription is due for 2 months shall be served with notice to pay up the dues within 7 days of the receipt of the same.
3. If payment is not made by any member in spite of the said notice his name shall be posted as defaulter on the notice board inside the Bar-room.
4. A member who is in arrears for subscription for more than 2 months including the current month shall have to pay an additional subscription of Rs. 100/- for every default past or future.
5. In case of any member who allows subscription for full year to accumulate against him, shall be placed before a meeting of the association and shall liable to such penalty as may be imposed on him by the meeting, including extreme penalty of removal of his name from membership

#### **b) Application of Funds**

- i) The society has the powers to spend such sums out of its funds, as it thinks fit for the purposes.
- ii) No payment shall be made out of the funds to any office bearer by way of honorarium or remuneration.
- iii) Notwithstanding the restrictions prescribed above a society may pay such remuneration salary or honorarium to the persons in its full time or part time employment as it may determine. Provided that no member shall be in the employment of the society.

c) **Investments of Funds**

The society shall invest or deposit any portion of its funds not immediately required

- i) In immovable properties or
- ii) In securities of the government or in national savings certificate or other securities of the government of India.
- iii) In the post office saving bank account or
- iv) In a special account opened by the society for the purpose in a
  - a) Scheduled bank as authorised or notified by the Reserve bank of India or
  - b) Co-operative bank situated in the state or in such other mode of investment as may be prescribed.

24. **Permanent Advance for Starting Project:**

- a. An imprest or permanent advance not exceeding Rs. 5,000/- shall be made by the Finance Secretary or the Secretary to meet contingent current expenditure.
- b. If any project involving the expenditure of more than Rs. 1 Lakh (One Lakh) is to be started, then it should be with the prior approval of the General House.
- c. The office in-charge shall prepare and place on the notice board every month an account showing the months due from the members of the Association and such account to be countersigned by the Finance Secretary.
- d. Revenue Account and Balance Sheet Budget: - Once in a year upto the 30<sup>th</sup> November before holding the election or any date fixed by the General House the Finance Secretary and Secretary shall submit a Revenue Account and Balance Sheet of the affairs of the Association as of the previous year duly passed by the Auditor.
- e. The audited Account Balance Sheet shall be laid in the annual general house meeting for approval to be held before holding the elections.

## **Chapter - VII**

### **25. Bank Account**

The Treasurer shall keep the money of the Association in such Bank and in such manner as the Committee may from time to time direct and shall bring all moneys received into account immediately on the receipt thereof and the Bank Account shall be operated by the President and any one of the two followings:-

- I. Secretary
- II. Treasurer

## **Chapter - VIII**

### **26. Financial Year**

The financial year will be 1<sup>st</sup> April to 31<sup>st</sup> March  
Or as decided by the central government.

## **Chapter - IX**

### **27. Books of Accounts**

The books of accounts will be maintained as per requirement of the different acts

### **28. Audit of Accounts**

**Auditor:** The account of the Association shall be audited at least once a year by an Auditor. The auditor shall be nominated by Governing Body.

**Audit of Accounts:** The Auditor shall examine the entire accounts of the Association and shall have access to accounts and vouchers at all reasonable time throughout the year.

**Balance Sheet and Revenue account be checked:** The Auditor shall check the Revenue Account and Balance Sheet and shall after making such corrections therein as he may deem proper countersign the same. The auditor shall submit annually before the date of election to the Governing Body a brief report on the state of the accounts. The Auditor's report shall be laid before the General House

## Chapter - X

### **29. General**

1. The servants of the Bar room shall not be sent out by member for their private work.
2. No member shall entertain or render free private service at his cost except on social function such as marriage to any officer or official before when he general appears in connection with his professional work.
3. All speeches made in meetings of the Association shall be treated as strictly confidential. All private and confidential conversations or discussions held in the Bar Room shall also be confidential and not communicated anywhere.
4. All proceedings taken, order passed, acts done under these rules shall be in writing.
5. All suits and proceedings on behalf of the Association shall be filed by and in the name of the Secretary for the time being and he shall be entitled to defend all legal proceedings brought against the Association unless the Association appoints some other person for a particular case.
6. The Association may make bye laws consistent with these rules or make any change in the above rules at a meeting specially convened for the purpose and by a majority of 3/5 that of the members present.

## **Chapter - XI**

### **30. Annual List of Managing / Governing Body**

Annual list of managing body to be filed.—Once in every year, on or before the fourteenth day succeeding the day on which, according to the rules of the Society, the annual general meeting of the society is held, or, if the rules do not provide for an annual general meeting, in the month of January, a list shall be filed with the Registrar

## **Chapter - XII**

### **31. Legal Proceedings**

The society may sue or be sued in the name of the President / Secretary as per the provisions lay down under Section of the Societies registration Act.

## **Chapter - XIII**

### **32. Amendments / Alteration**

Any amendment in the memorandum of association and bye laws or change of name amalgamation or division of the society will be done with the approved of the general body by way of a special resolution. The intimation of any such amendment or change along with attested copy of the requisite documents shall be filled in the office of the District Registrar by the secretary within such time as may be prescribed under the Haryana Registration Regulation of Societies Act 2012 and the rules made there under.

### **33. Common Seal**

The Society will have a common seal which shall be kept in safe custody of the Secretary and shall be affixed wherever it is required in accordance with the authorisation by the governing body

## **Chapter - XIV**

### **34. Amalgamation**

The society may amalgamate itself with another society established with the identical aims and objects or allow any other society to amalgamate with itself by a special resolution passed in this behalf in accordance with the provisions contained in section 51 of the Act and rule 25 made there under.

### **35. Dissolution and Adjustment of Affairs**

The manners of Dissolution of the Society in accordance with the provisions contained in the Act and the rule there under

If upon the winding up or dissolution of the Association there remains after satisfaction of all its debts and liabilities any property whatsoever, it shall not be distributed among the members of the Society, but shall be given or transferred to some other institution having objects similarly to the object of the society to be determined by the members of the society at or before the time of dissolution.

## **Chapter - XV**

### **36. Application of the Act**

All the provisions under all the sections of the Societies Registration Act shall apply to the Society.

## Chapter - XVI

### 37. Certificate

It is certified that this is a true and correct copy of the rules and regulations of the society.

It is also certified that all the provisions (Rule and Regulation of Haryana Registration and Regulation of society Act. 2012 (Haryana Act No. 1 of 2012) if not mentioned herein will be duly complied with by the **"Tax Bar Association Ambala"**

We the undersigned are subscribed hereunder certify the above to be the true copy of the bye-laws and rules and regulations the of the Society.

S.No.      Name                      DOB      Occupation      Addresses                      Designation      Signature

1	Jitender K Jindal S/o Sh. Surinder Bhushan Jindal	25.12.66	Advocate	# 157, Durga Nagar, Ambala Cantt.	President	
2	Krishan Gopal S/o Sh. Champa Lal Maheshwari	01.01.68	Advocate	# 7-A, Tribune Colony, Ambala Cantt.	Vice President	
3	Puneet Kumar S/o Sh. Girish Kumar	10.10.87	Advocate	# 2005 / 6, Tasveera Wali Gali, Ambala City	Secretary	
4	Sanjeev Mishra S/o Sh Raj Kumar Sharma	29.03.71	Advocate	# 176, Sector - 1, Jail Land, Ambala City	Joint Secretary	
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6	Yogesh Kumar Sharma S/o Sh. Shakti Kumar	27.03.81	Advocate	# 602, Sonia Colony, Hissar Road, Ambala City	Library Member In charge	

7	Joginder Pal S/o Sh. Roshan Lal	17.08.78	Advocate	# 2566 / 2, Kaziwara, Jagadhri Gate, Ambala City	Executive Member	
8	Mangesh Goel S/o Sh. Raghunath Sarup Goel	10.01.68	Advocate	# 100 / B / 1. Ajit Nagar, Ambala Cantt.	Executive Member	
9	Man Mohit Sharma S/o Sh. Ravinder Pal Sharma	05.12.86	Advocate	# 173, V.P.O Balana, Hissar Road, Ambala City	Executive Member	
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11	Gulab Singh S/o Sh. Joginder Singh	04.01.79	Advocate	# 35, Vill Kaleran P O Segti, Ambala City	Member	
12	Jai Parkash S/o Sh. Ashru Ram	23.01.83	Advocate	# 2571, Lakkar Mandi, Near Railway Station, Barara	Member	
13	Kapila Chhabra D/o Sh. Om Parkash Chhabra	03.09.75	Advocate	# 4318 / 3, Akhvaron Wali Gali, Banda Mohalla, Nr. Chhota Bazar, Ambala City	Member	
14	Kushal Kumar S/o Sh. Janeshwar Singh	30.11.72	Advocate	# 1097, Ward No 31, C-7, Usha Colony, Jagadhari	Member	

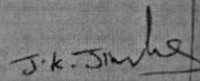
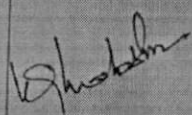
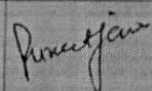
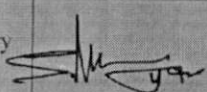
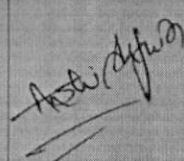
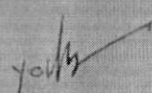
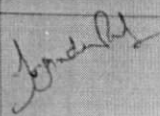
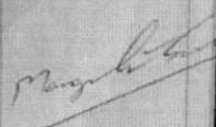
15	Manoj Kumar S/o Sh. Kharaiti Lal	24.11.80	Advocate	# 4515 / 2, New 1133 / 2, W-29, Kaziwara, Nr. Hari Mandir, Ambala City	Member	
16	Neelam Rani D/o Sh. Baljoor Singh	01.01.81	Advocate	Vill Ghararsi PO Barna, Kurukshetra	Member	
17	Nidhi Jindal D/o Sh. Ram Kumar Bindal	08.08.73	Advocate	# 157, Durga Nagar, Ambala Cantt.	Member	
18	Rakesh Dhiman S/o Sh. Pawan Kumar Dhiman	12.08.86	Advocate	# 7- C, Inder Puri, Ambala Cantt.	Member	
19	Ramandeep Singh S/o Sh. Surinder Pal Singh	03.05.85	Advocate	# 844 / 6, Jain College Road, Ambala City	Member	
20	Rupesh Kumar Gupta S/o Sh. Mohan Lal Gupta	03.11.67	Advocate	# 1960 / 2, Ganesh Gali, Nr. Old Tilla Mandir, Ambala City	Member	
21	Sanjeev Kumar S/o Sh. Banarsi Dass	31.12.80	Advocate	# 113 / 1793- 1808, Baldev Nagar, Ambala City	Member	
22	Sanjeev Kumar Sachdeva S/o Sh. Chowdhary Ram Sachdeva	18.05.76	Advocate	# 542, Urban Estate, Sec-8, Ambala City	Member	
23	Sanjiv Kumar S/o Sh. Krishan Lal	11.05.78	Advocate	# 161, Greater Kailash, Jandli, Ambala City	Member	

24	Tejinder Kumar S/o Sh Chander Parkash	25.02.73	Advocate	# 498 / B-155, Jawahar Nagar, Nr. Police Line, Ambala City	Member	
25	Varun Ghai S/o Sh. Davinder Ghai	25.10.83	Advocate	# 14, A / F, New Model Colony, Prem Nagar, Ambala City	Member	

## 7. Founder Members :

We the undersigned are fonder members and desirous of forming a society namely  
Tax Bar Association Ambala

in pursuance of this Memorandum of Association of the Society.

S.No.	Name	DOB	Occupation	Addresses	Designation	Signature
1	Jitender K Jindal S/o Sh. Surinder Bhushan Jindal	25.12.66	Advocate	# 157, Durga Nagar, Ambala Cantt.	President	
2	Krishan Gopal S/o Sh. Champa Lal Maheshwari	01.01.68	Advocate	# 7-A, Tribune Colony, Ambala Cantt.	Vice President	
3	Puneet Kumar S/o Sh. Girish Kumar	10.10.87	Advocate	# 2005 / 6, Tasveera Wali Gali, Ambala City	Secretary	
4	Sanjeev Mishra S/o Sh Raj Kumar Sharma	29.03.71	Advocate	# 176, Sector - 1, Jail Land, Ambala City	Joint Secretary	
5	Ashish Jain S/o Sh. Rakesh Jain	07.03.80	Advocate	# 1096 / 5, Ward-20, Kalal Majri, Walia Chowk, Ambala City	Treasurer	
6	Yogesh Kumar Sharma S/o Sh. Shakti Kumar	27.03.81	Advocate	# 602, Sonia Colony, Hissar Road, Ambala City	Library Member In charge	
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9	Man Mohit Sharma S/o Sh. Ravinder Pal Sharma	05.12.86	Advocate	# 173, V.P.O Balana, Hissar Road, Ambala City	Executive Member	<i>Man Mohit</i>
10	Vijay Kumar S/o Sh. Mehar Chand	10.09.76	Advocate	Nr. Kheda Mandir, V.P.O Khanpur Brahmana, Naraingarh (Ambala)	Executive Member	<i>Vijay Kumar</i>
11	Gulab Singh S/o Sh. Joginder Singh	04.01.79	Advocate	# 35, Vill Kaleran P O Segti, Ambala City	Member	<i>Gulab Singh</i>
12	Jai Parkash S/o Sh. Ashru Ram	23.01.83	Advocate	# 2571, Lakkar Mandi, Near Railway Station, Barara	Member	<i>Jai Parkash</i>
13	Kapila Chhabra D/o Sh. Om Parkash Chhabra	03.09.75	Advocate	# 4318 / 3, Akhvaron Wali Gali, Banda Mohalla, Nr. Chhota Bazar, Ambala City	Member	<i>Kapila Chhabra</i>
14	Kushal Kumar S/o Sh. Janeshwar Singh	30.11.72	Advocate	# 1097, Ward No 31, C-7, Usha Colony, Jagadhari	Member	<i>Kushal Kumar</i>
15	Manoj Kumar S/o Sh. Kharaiti Lal	24.11.80	Advocate	# 4515 / 2, New 1133 / 2, W-29, Kaziwara, Nr. Hari Mandir, Ambala City	Member	<i>Manoj Kumar</i>
16	Neelam Rani D/o Sh. Baljoor Singh	01.01.81	Advocate	Vill Ghararsi PO Barna, Kurukshetra	Member	<i>Neelam</i>

17	Nidhi Jindal D/o Sh. Ram Kumar Bindal	08.08.73	Advocate	# 157, Durga Nagar, Ambala Cantt.	Member	Nidhi Jindal
18	Rakesh Dhiman S/o Sh. Pawan Kumar Dhiman	12.08.86	Advocate	# 7- C, Inder Puri, Ambala Cantt.	Member	Rakesh
19	Ramandeep Singh S/o Sh. Surinder Pal Singh	03.05.85	Advocate	# 844 / 6, Jain College Road, Ambala City	Member	Ramandeep
20	Rupesh Kumar Gupta S/o Sh. Mohan Lal Gupta	03.11.67	Advocate	# 1960 / 2, Ganesh Gali, Nr. Old Tilla Mandir, Ambala City	Member	Rupesh
21	Sanjeev Kumar S/o Sh. Banarsi Dass	31.12.80	Advocate	# 113 / 1793- 1808, Baldev Nagar, Ambala City	Member	Sanjeev
22	Sanjeev Kumar Sachdeva S/o Sh. Chowdhary Ram Sachdeva	18.05.76	Advocate	# 542, Urban Estate, Sec-8, Ambala City	Member	Sanjeev Kumar
23	Sanjiv Kumar S/o Sh. Krishan Lal	11.05.78	Advocate	# 161, Greater Kailash, Jandli, Ambala City	Member	Sanjiv
24	Tejinder Kumar S/o Sh Chander Parkash	25.02.73	Advocate	# 498 / B-155, Jawahar Nagar, Nr. Police Line, Ambala City	Member	Tejinder
25	Varun Ghai S/o Sh. Davinder Ghai	25.10.83	Advocate	# 14, A / F, New Model Colony, Prem Nagar, Ambala City	Member	Varun

" All the incomes ,earnings, movable or immovable properties of the society shall be solely utilised and applied towards the promotion of its aims and objects only as set forth in the Memorandum of Association and no portion thereof shall be paid or transferred directly by way of dividends, bonus, profits or in any manner whatsoever, to the present or past members of the society or to any person claiming through any one or more of the present or the past members .No member of the society shall have any personal claim on any movable or immovable properties of the society or make any profit ,whatsoever, by virtue of his membership

Place: Ambala

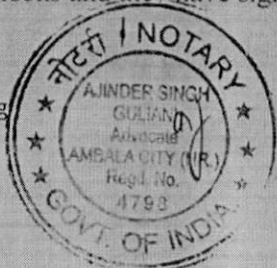
Dated: 23/05/2017

Attested the signatures from No. 1 to 25

Witness

I know all the above persons and they have signed in my presence

Signatures of the Attesting  
Officer with Official Seal



ATTESTED

NOTARY PUBLIC  
AMBALA CITY (H.R.)

23 MAY 2017

Certified that this is the true and correct copy of the Memorandum

President

Secretary

Treasurer

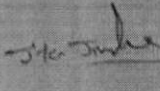
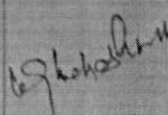
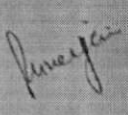
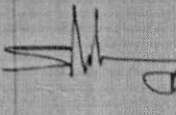
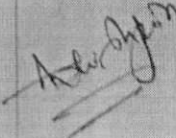
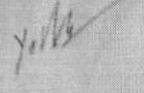
## Chapter - XVI

### 37. Certificate

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It is also certified that all the provisions (Rule and Regulation of Haryana Registration and Regulation of society Act, 2012 (Haryana Act No. 1 of 2012) if not mentioned herein will be duly complied with by the "Tax Bar Association Ambala"

We the undersigned are subscribed hereunder certify the above to be the true copy of the bye-laws and rules and regulations the of the Society.

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