

Constitution

Narnaund

THE CONSITUTION OF THE BAR ASSOCIATION NARNAUND

Articles

Clause

Sub

Clause

Preamble :

We the members of the Bar Association, Narnaund, give unto ourselves, on this 10TH Jan. 2018, for the management and conduct of our affairs, the following constitution:

I

Name:

The Association shall be called the BAR ASSOCIATION NARNAUND.

II

Aims and objects :

The aims and objects of the Association shall be:

(i)

The maintenance of the Bar Room & Library for the personal and corporate comforts of the members.

(ii)

The encouragement of mutual good will and social relations amongst the members of the Bar Association and with the Bench as well as with the public.

(iii)

Looking after the purity of the profession and maintaining its dignity.

(iv)

Rendering help and assistance to the public whereby their legitimate grievances may be easily removed.

(v)

To help fearlessly in the administration of Law and maintenance of the standard and purity of justice.

III

Membership:

(1)

The membership of the Association shall be open to all legal practitioners whose ordinary place of business is or has been at Narnaund or any place in Hisar District or any place permissible under the Rules of the Bar Council of Haryana and Punjab.

Subscription

(2)

(a)

Every member shall pay a monthly subscription of Rs. 50/- per mensem or such sum as may be varied from time to time, payable in advance by the 10 of each month.

(b)

An admission fee of Rs. 1000/- shall be paid by every member at the time of enrolment which may also from time to time be varied by the Association.

Admission

Non payment
of
subscription
-consequences

(c)

(i)

Removal & Reenrollment of Members:

The name of any member who remains in arrears for two months of monthly subscription consecutively, shall be liable to be struck off the rolls of the membership of the Association and such member shall forfeit all rights and privileges of such membership, where upon he shall surrender all properties (Movable and unmovable) of the Association, that may have been allotted or entrusted to him in his capacity of such member, forth with to the Secretary. However if he fails to so surrender such properties he shall render himself liable for legal action at the option of the Association.

Provided such a member does not seek re-enrolment within a period of two months of the termination of his membership.

Re-enrolment

(ii)

Any Member who has forfeited his membership of this Association as aforesaid may be re-enrolled and re-nominated as such member with retrospective effect on his application made in this behalf subject to payment of all his dues lying in arrears up to the date of re-enrolment and re-nomination of his membership along with re-enrolment fee of Rs. 1000/- (Rupees Five Hundred) only variable by the Association from time to time and other charges, fees, subscription, special contributions, etc. that may have been levied or charged by the Association in the intervening period.

Payment of
Subscription
in lumpsum

(3)

If a member wants to pay the subscription in lump sum, the annual subscription shall be Rs. 350/- payable in advance in two installments, in the months of April and October of each financial year.

IV

Code of
Conduct

(1)

Obligations of Members:-

Every member shall have to sign a pledge not to practice toutism and to do his best to eradicate the evil of toutism.

(2)

Every member shall abide by the constitution and the resolutions passed by the Association from time to time.

(3)

No member shall receive any brief or otherwise take any case from or through any of the following parsons.

(i)

Any person whose name is entered on the list of any court as being a tout.

(ii)

Any person whose name is entered on the list of rep

touts by the Bar Association.

Note:- For the purposes of Article IV (3) ii, The Bar Association shall maintain a list of persons reputed to be touts and shall revise list from time to time.

**Appointment
of clerks by
members** (4)

No member shall employ as a clerk, munshi, Chaprasi or as servant :

- (i) Any person mentioned in Article IV (3) (ii)
- (ii) More than two Munshis for the purposes of the practice at one place;
- (iii) As a clerk or Munshi any illiterate person or in contravention of the Rules and orders of the High Court of the Haryana & Punjab on the point.
- (iv) In any capacity, any person who to the knowledge of such member has
 - (a) at anytime been placed on security for good behavior U/s 106, 109, 110-Cr.P.C. or who is otherwise known to be a disreputed person or is otherwise considered and held to be person of questionable morals by the Association.
 - (b) At any time been convicted of giving or fabricating false evidence, theft, forgery, Criminal misappropriation, criminal breach of trust or cheating or any other offence, which, in the opinion of the Association, renders him unfit to be so employed by a legal practitioner.
- (v) Any person who having served as clerk or Munshi with a legal practitioner does not produce a certificate of good character from his last employer provided that if such certificate is willfully withheld on the request of such Munshi or clerk, the matter may be enquired into by the Executive committee of the Association whose decision shall be final.

**Practice of
toutism
consequence
of** (5)

- (i) The name of any member of the Association who in the opinion of the Bar Association practices toutism or in the opinion of the Association is reputed as such or is otherwise guilty of the flagrant abuse under the Rules and Regulations of the Association his name shall be forwarded to Bar Council for suitable action in the matter.
- (ii) No member shall indulge in any activity in the Bar Room which is extraneous to the professional conduct in the opinion of the Association

Appointment of
clerk by
members to be
intimated :-

List of Clerks
to be
maintained

Dismissal of
Clerk etc.

Appointment of
clerks,
Conditions:-

V

Right to
Comforts &
Convenience:- (1)

Right to vote
etc. (2)

Right to
inspect
record:- (3)

VI

Executive
Committee to (1) (a)
manage affairs:-

Note: (1) Every member engaging any person as a clerk or Munshi shall intimate the fact by a letter to the Secretary stating the full name, father's name and residence etc. of the proposed employee.

(2) The Bar Association shall keep a register of all persons for the time being in the employ of the members as Munshi, clerk or Charprasi, and a copy of the list shall be affixed in the Bar Room, which shall be corrected from time to time.

(3) The Bar Association shall have to call upon any member to dismiss any Munshi or Clerk, if that person has in any way rendered him self unfit to be a clerk or Munshi in the opinion of the Bar Association.

(4) The appointment of the clerk or Munshi shall be subject to the Rules contained in the Punjab & Haryana High Court Rules and Orders.

Privileges of Members :

Every member shall be entitled to share all comforts and conveniences provided in the Bar Room and use its Library according to the Rules prescribed for it.

Every member shall have a right of vote at a meeting of the Association and be eligible for election as an office bearer of the Association subject to the conditions herein after contained.

Every member of the Bar Association be entitled to see and respect the records including the accounts of the Association.

Management:

The management of the ordinary business and affairs of the Association shall be carried out by the Executive Committee of the Association Consisting of the Office bearers of The Association, who shall hold office during the pleasure of the Association, or for the term of one year, which ever is less, who shall function in honorary position & no honorarium or allowance shall be paid to them by the Association.

Executive Committee to be elected:-	(b)	The Executive Committee shall be elected annually in its annual meeting to be held in the first week of April or as soon there after as may be decided by the Association in the meeting specially convened for the purpose in the manner herein after provided. In case of any vacancy falling/arising during the year it would be filled up by election within fifteen days of its arising.
Composition of Executive Committee:-	(c)	The Executive Committee shall consist of the following office bearers :- (i) President. (ii) Vice-President. (iii) Secretary; (iv) Joint Secretary; (v) Treasurer ; (vi) Member – in – charge of the Library ;
Quorum for E.C. Meeting	(d)	Quorum for the meetings of the Executive Committee shall be (2/3 rd) two third of its membership.
	(2)	Election And Removal of Office Bearers Procedure :
Presiding officer for the elections:-	(a)	All elections shall be conducted by the Outgoing President, unless he has been removed by a vote of no-confidence, in which case or in any other case, by any member specially nominated for the purpose by the Association, not being a contestant himself.
Eligibility to vote:-	(b)	Every member who is on the Rolls of the Association and is not in arrears of any type of dues of the Bar funds, as on and upto 31 st December of the year preceding the elections shall have a right to vote in-person. No vote by proxy shall be allowed.
	(c)	Nominations And with draws:-
Nomination	(i)	All candidates shall file their nominations on plain papers not later than five (5) days immediately preceding the date fixed under Article VI Clause (I) Sub Clause (b)
Nomination to be seconded:	(ii)	All nominations must be proposed and seconded each by at least one member and should bear their signatures thereon.
One member - one proposal	(iii)	No member shall propose or second more than one person for the same office. The Contravention of this rule shall entail rejection of all such nominations.
Eligibility to Contest :-	(iv)	No member who is not on the Rolls of the Association and/or is in arrears and has been irregular in payment of his

close dues during the year as on and up to 31st December of the year preceding the elections, shall be eligible for any office of the Association.

Proviso: Nothing contained heretofore shall apply to a member who is enrolled by the State Bar Council after the 31st December of the year concerned.

Prohibition to
contest for 3rd
term:-

(v)

No member shall be entitled to contest for election for any office for a third consecutive term.

One office -
one nomination

(vi)

A member can file nomination for one office only at the same election.

Scrutiny of
Nominations

(vii)

All nominations received shall be scrutinised on the last date fixed for filing there of in the presence of all the contestants by the member empowered under Clause (a) above, whose decision shall be final unless held illegal and malafide by a committee consisting of not less than three members duly nominated by the Association in this behalf who shall record their findings within two days of the rejection, whose decision shall be final and binding unless set aside by 2/3rd (two thirds) majority of the Association.

The names of all the contestants whose nominations are in order shall be displayed on the notice Board of the Association.

List of
Contestants to
be displayed.

(viii)

No candidate shall be permitted to withdraw his nominations later than two days prior to the date fixed for election/polling.

EXPLANATIONS :-

Withdrawal of
nominations:

(ix)

(i) Dues Shall include all charges and claims of the Association, such as; subscriptions, donations, special contributions, library fees, etc. levied and imposed by the Association from time to time and/or any property movable or immovable supplied or allotted to a member viz items of furniture, library books etc.

(ii) Irregular in payment Means non-payment of dues for a continuous period of more than Ninety (90) days from the date they become due.

Note:

The executive shall display on the Notice Board and Circulate among members a list of defaulting members.

List of
Defaulters to
be displayed &
Circulated :

who are in arrears as aforesaid, by the 15th of December of every year, for general information of members.

(d) **POLLING**

- | | | |
|------------------------------------|--------|---|
| Ballot: | (i) | If necessary Voting shall be held by secret ballot by means of a Ballot paper to be supplied to each member bearing signatures of the Presiding officer nominated under clause 2(a) of this Article. |
| Presiding officer to vote first: | (ii) | The Presiding officer nominated under clause (a) shall record his vote in the first instance. |
| Inspection of Ballot papers | (iii) | After the polling is complete, the Presiding officer shall himself inspect and allow the candidates reasonable opportunity to inspect the Ballot papers and hear Objections, if any, on the validity etc. of the Ballot and decide forth with and record the decision on the back of the Ballot paper(s) which he may reject. |
| Counting: | (iv) | The Presiding officer, after he has decided objections under sub clause (iii), shall separate valid and invalid Ballot papers and count them separately and declare the candidate obtaining the largest number of votes, elected for the post for which the Ballot has been taken. |
| Declaration of result of Counting: | (v) | If after counting of votes is completed, an equality of votes is found to exist between any candidates and addition of one vote will entitle any of those candidates to be declared elected, the Presiding Officer shall forthwith decide between those candidates by draw of lots and proceed as if the candidate on whom the lot falls has received an additional vote. |
| Record of election to be kept: | (vi) | The record of the election papers shall be kept intact till after one month of election. |
| Order of polling: | (vii) | The polling shall be conducted in the following order:-
Firstly- President
Secondly - Vice-President
Thirdly - Secretary
Fourthly - Joint-Secretary
Fifthly - Treasurer
Sixthly- Member -in-charge of the Library |
| Single non-transferable vote: | (viii) | The election shall be on the basis of Single non-transferable vote. |

Vote of no-
confidence

Notice for
motion of no-
confidence :

Notice of
motion
validity:-

Meeting for
consideration
of motion for
no-confidence :

Procedure at
the meeting for
no-confidence:-

Duties of the
President:-

(f) Removed of Executive Committee and its members:

(i) The Executive Committee or any member thereof may be removed by a vote of no-confidence, passed by a two thirds ($2/3^{\text{rd}}$) majority of the members present and voting but it should not be less than the majority of the total membership of the Association.

(ii) A clear seven days notice for a motion of no-confidence shall be given to the President at anytime after the election, but not earlier than one month of the last election, who shall be bound to call an extra ordinary meeting of the Association, after giving three clear days notice to all the members of the Association, before the expiry of the period of the notice of the motion.

(iii) The notice for no-confidence shall be signed by not less than one third ($1/3^{\text{rd}}$) of the total membership of the Association.

(iv) If the President fails to call the meeting of the Association within the time specified in the notice for the motion of no-confidence under sub clause (ii) of this clause, the movers of the motion may call a meeting themselves for the consideration of the motion, after giving three days clear notice to all the members of the Association. The Vice-President or any other member so authorized by the requisitioned, meeting shall preside over such meeting.

(v) Provisions for conducting the Business of the Association shall mutatis mutandis apply to the meetings held under sub clauses (ii) and (iv) of this clause.

(3)

The Duties And Powers of the Office Bearers shall be as follows:-

(a) The President shall:-

(i) Preside over and conduct all the meetings of the Association, when present.

(ii) Represent the Association on all occasions unless when any other member is deputed to represent the Association on any particular Occasion by the Association.

(iii) Issue instructions to other office bearers for the management of the affairs of the Association.

**Duties of the
Vice-President:**

- (iv) Generally supervise and control the affairs and activities of the Association.
- (b) Vice President: shall act for the president in his absence or as otherwise provided in the constitution.

**Duties of the
Secretary**

- (c) Secretary: The Secretary shall, subject to the instructions of the President:-

(i) Issue notices for the meetings.

(ii) Carry on Correspondence of the Association and supervise collection of subscription and issue notices for demand of arrears etc. as provided hereinafter.

(iii) Supervise the accounts of the Association and cause them to be audited annually by any member nominated by the Association for the purpose.

(iv) Use funds of the Association for the maintenance, up keep and improvement of the Bar Room and establishment of the Association as also the Library or as required by a resolution of the Association and under the Supervision of the President it shall be his duty:-

- (1) To transact all other business of the Association.
- (2) Carry into effect all resolutions of the Executive Committee or the Association.
- (3) Keep necessary record of resolutions and other orders.
- (4) Keep minutes of the proceedings of the Associations and the Executive Committee.
- (5) Supervise and control the menial and other staff.
- (6) Draw upon the treasurer to meet expenses of the Association for monthly pay and other charges such as newspapers etc.
- (7) Maintain the following registers:
 - (a) A Minutes Book.
 - (b) A Correspondence Book
 - (c) A Cheque Book
 - (d) A Peon Book
 - (e) Suggestions Book
 - (f) Subscription Book
 - (g) Register of Reputed touts
 - (h) Register of disreputable persons who are not eligible for employment as Clark etc.
 - (i) Any other Register which he may consider necessary.

Note: In the suggestions Book, which shall be kept in

Registers

the Bar Room, in the custody the chaprasi/ Clark, the members may enter any suggestion or complaints and the Secretary shall take a necessary actions on that.

Duties of the Treasurer

- (d) Joint Secretary shall perform the duties of the Secretary in his absence or such duties, the President or the secretary may assign to him, from time to time.

- (e) The Treasurer : Shall :-

- (i) Arrange to collect all subscriptions from the members.
- (ii) maintain Account Books relating to the funds of the Association.
- (iii) Shall be responsible for the cash in hand.

Duties of the Member I/C Library:-

- (f) Member -in charge of the Library:

- (i) be in charge of the Library,
- (ii) Suggest to the Executive Committee the purchase of suitable Books, newspapers etc; and
- (iii) Carry all other duties enjoined upon him under the Library Rules of the Association, Contained in Appendix "A"

Staff of the Association Appointments etc.:

- (g) Establishment:-

- (1) (i) The Bar Association shall employ: one or more chaprasis according to the needs of the Association.
- (ii) One Librarian if necessary.
- (2) The appointments, suspensions, dismissal of, or award of other punishment, to any member of the establishment shall be made by the Secretary in consultation with the President, subject to approval of the Association whose decision shall be final provided that in case of suspension, dismissal or fine, the person effected by the punishment shall have a right of being heard by the Association, before it accords approval thereto.

Conditions of appointments etc:

- (3) All appointments to the establishment shall be made subject to an agreement to be executed by the employee to the effect that he shall be bound by the Rules of the Association or any other conditions as may be prescribed by the Association.

VII

Kind of meetings:-

(1)

Meetings:-

There shall be held:-

- (a) General
- (b) Special or Extra-ordinary
- (c) Ordinary, meetings of the Association.

Business at General Meetings:-

(2)

General Meetings:

A General meeting shall be held at least once a year for the purpose of:-

Special meetings how called:-

Business at special meeting:

Notice for special meeting:

Quorum for special meeting:-

Calling of Ordinary meetings, once a month:-

Notice

Quorum

- (a) Annual Reports Accounts of the last year.
- (b) Annual elections, &
- (c) Amendments to the constitution if necessary.

Special or Extra-Ordinary Meeting:

A special or Extra ordinary meeting of the Bar Association shall be held by order of the President or at the written requisition of any member, counter signed by one fifth (1/5th) of the members on Roll;

(a)(i)

(ii)

A special meeting may be convened at anytime to consider important questions, which might include:-

- (a) the preparation of the list of touts.
- (b) proposals regarding the amendments or consideration of legislative Bill or Acts.
- (c) other proposals/matters of emergent necessity.
- (d) proposals circulated by the public bodies or others for opinion of the Bar Association.
- (e) Any proposal(s) that any member or Executive Committee may submit for decision.
- (f) Consideration of a motion of no confidence under Article VI(2)(f) supra.
- (g) Consideration for approval or otherwise, of the appointments, suspension etc. of this staff as proposed by the Executive Committee under Article VI Rule(3) Clause (g) sub clause (2) supra.
- (h) Amendments to this constitution & Rules.

(b)

Notice for such a meeting shall be given at least three days prior to the date of the meeting.

(c)

Quorum: Quorum for such meetings shall be:-

- (i) for consideration of the matters under clause (a) sub clause (ii) items, a,b,d,f,g, and (h) of this Article shall be fifty percentum (50%) of the members on roll.

(4)

(i)

Ordinary Meeting:

An Ordinary meeting of the Association shall be called at least once a month or when it is necessary to consider such other questions as will be circulated in the agenda by the secretary under the orders of the President.

(ii)

Notice for such meeting shall be one day's at least.

(iii)

33% members on roll of the Association shall form a quorum for such meetings.

- Adjourned Meetings:-
- Carrying forward of pending business:-
Continued meeting:-
- Casting Vote:-
- President to preside over all meetings :-
- Rulings of the Chair shall be final:-
- Review of Resolutions motion for :-
- (5) **Quorum for the Adjourned meetings:-**
- In case of meetings adjourned for want of quorum $1/4^{\text{th}}$ of the membership of the Association shall constitute quorum for such meetings, but fresh notice shall have to be issued containing the agenda giving at least 2 days time for such meeting.
 - In case of pending business which could not be finished in the sitting, no fresh notice or quorum would be necessary, if the next date of sitting is fixed in the meeting.
- (6) **Voting at the Meetings:-**
- For consideration of questions relating to the list of reputed touts or other matters relating there to voting shall be carried out as provided for in the Legal Practitioners' Act.
 - At all other meetings the questions shall be decided by a majority of votes of the voting members present in the meetings by show of hands or any other manner as may be decided in that meeting unless otherwise provided hereunder.
 - In case of equality of votes the President shall have a casting vote but he shall exercise his vote only once.
- (7) **Notice for Emergent Meetings:-**
- In case of emergency, any meeting may be called under order of the President on shorter notice than provided for any particular kind of meeting, except in case of extra Ordinary meeting called under Article VI (2) (f).
- (8) **Chairmanship at meeting:-**
- The President and in his absence the Vice President shall preside over the meetings. When neither of these office bearers is present at a meeting, the members present shall elect the chairman from amongst those present. The Vice-President or the elected Chairman shall vacate the Chair for the President or the Vice President on his arrival, as the case may be.
 - The ruling of the Chairman on all questions of order, procedure, counting of votes, or other matters relating to the conduct of the business in the meeting shall be final.
- (9) **Review :-**
- No resolution passed in any meeting is liable to be reviewed within three months unless motion for review is supported by the signatures of at least $1/5^{\text{th}}$ members.

Motion for
Review to be
put in a
General
Meeting:-

- (b) A motion for review shall be put in a General Meeting and the previous order shall be reversed or modified only if two thirds of the members present, vote for such a reversal or modification, provided that the two thirds are not less in number than those who originally voted for the decision under review.

Finality of
decisions of
the General
Meetings:-

(10)

Decision of the General Meeting:-

The decision of the General Meeting shall be final on all matters and binding on the members.

General
meeting:-
Order of
Business :
Agenda :

(11)

Conduct of Business at the meetings of the Association:-

- (a) The order of business at every general meeting of the Association shall be as under:-
- (i) Proceedings of the previous meetings to be read out by the Secretary.
 - (ii) Report of the Secretary on the actions taken by the Executive Committee on the previous discussion and decisions of the Association.
 - (iii) All decisions of the Executive Committee taken after the last meeting shall be submitted by the President, for discussion and decision of the Association, which may approve or modify or reject them by majority vote, as prescribed.
 - (iv) Statement of income and expenditure to be read out item by item, for approval of the Association.
 - (v) Audit report and replies thereto.
 - (vi) Consideration of the budget proposals prepared by the Executive Committee for the next year.
 - (vii) Questions and resolutions by members, including proposals for amendments of this constitution or any other resolution previously passed by the Association.
 - (viii) Any other item which may be raised with the permission of the Chair.
 - (ix) If it is not possible to complete all the items on the agenda on the date fixed, the meeting may be continued on any subsequent day.
 - (x) Elections to the Executive Committee shall in variably be held after completing all the items under sub-clause (i) to (viii) above said.

Proceedings to
be recorded:

- (b) The proceedings of every meeting shall be recorded and signed by the President and the Secretary.

Moving of
Resolutions
etc:

- (c) Any member who desires to bring forward any resolution or wishes to ask any question at any meeting of the

Association, shall give notice in writing of his intention to do so to the chairman well in time before the formal commencement of the meeting.

Provided that the Chairman may, in his discretion, permit any question or the discussion of a resolution or transaction of any business for which no previous notice has been given.

Provided further that every member shall have a right to ask any member of Supplementary questions or move amending resolutions in connection with any subject already under Consideration of the meeting, with the permission of the chair.

Chairman may disallow moving of Resolutions etc:

Consideration & passing of Resolutions

President/Chairman to give time to all:

President to regulate business at the meetings:-

No Discussion across the floor

Use of parliamentary language.

President may direct delinquent member to withdraw:

(d) The Chairman may disallow the moving or discussion of any resolution or proposition which he considers to be beyond the scope and competence of the Association or which in his opinion is not conforming to the professional ethics or permissible under the rules framed by the State Bar Council of Punjab & Haryana from time to time.

(e) All resolutions or propositions, not disallowed by the Chair, shall be discussed and passed by a simple majority vote of the members present and voting, unless otherwise provided.

(f) As far as practicable the President /Chairman shall afford time to express his views on any subject under discussion, to every member, in the meeting, before putting the motion to vote.

(g) Discipline and Decorum at the Meetings:-

(i) It shall be the duty of the President to regulate the conduct of business at a meeting of the Association and preserve order befitting a body of professional men, and shall have to maintain strict discipline and decorum by peaceful and democratic methods and behavior.

(ii) No member shall enter into across the floor discussion and all submissions shall be addressed to the meeting through the chair. It shall be the duty of all members to keep strict decorum at the meetings of the Association and not to speak on any motion without permission of the Chair.

(iii) Members shall use strictly parliamentary language and shall not lash out personalities on one another and shall abide by the decision of the Chair.

(iv) If any member disregards, the prescribed code of conduct or disregards the authority of the Chair, or is guilty of obstructive or offensive and otherwise unparliamentary conduct during the meeting, the President may ask him to behave properly and on his failure to do so direct him to withdraw from the meeting.

Refusal to
abide by the
decisions of
the chair,
consequences
thereof.

(12)

Personal
Service of
Notice of
Meetings:-

Requisitioning
a meeting:-

(13)

Quorum for
Requisitioned
meeting.

(14)

Conduct of
Business at
requisitioned
meetings:-

(15)

VIII

Strangers not
to be allowed
in the
meetings:

IX

(v) If any member refuses to abide by the decision of the Chair under sub clause (iv), the Chairman/President or any other member with the permission of the President, may make formal motion of expulsion of the delinquent member from the Bar Association, Narnuand, which if passed by the majority of the members present, shall entitle the Executive to the use of force for ejecting such member from the meeting and shall also disentitle such member from all or any of the privileges of members, as may be named by the Association in the motion passed provided if in future the expelled member applies for membership alongwith a written apology then the same may be considered by the Association.

Provided always, the President/Chairman may adjourn any meeting sine die, when it is not possible to conduct ordinary business due to pandemonium or otherwise.

Service of Notices

Notices of meetings will, so far as practicable, be served personally on the members. A notice shall be stuck up on the notice Board at least 24 hours before the time fixed for the meeting and this shall be considered sufficient service on members.

The Executive Committee, or the President, on a written requisition of (1/5th) one fifth of the members may call a general meeting at any time for any special cause/purpose.

No general meeting on requisition shall be held unless at least 33% (thirty three percent) of the members on the roll are present in the meeting and at least three days notice is given by the Secretary Containing the Agenda and the special purpose.

The provisions in regard to the conduct of business at the General meetings shall mutates mutandis apply to all other meetings.

Note:- No Stranger shall be allowed admittance to the Bar Room occupied by the Association, unless specifically invited by the Association or the Executive Committee.

Management of Property, Finances And Funds of the Bar Association:

- (1)
- Custody of Property (a) **Management of the property of the Bar Association:-**
The Secretary shall be responsible for the custody and management of the Bar properties of all sorts and shall maintain a property register, where in all moveable and immoveable property items owned by the Bar shall be entered.
- Sale - purchase of property:- (b) No property of any kind shall be purchased or sold by the Executive Committee without a formal resolution of the Bar Association in this behalf.
- Contracts by & on behalf of the Association :- (c) All contracts on behalf of the Bar Association shall be entered into in the name of Bar Association and all documents executed in this connection shall be signed by the President.
- (2)
- Composition of the Bar Fund:- (a) **Bar Fund**
The following money shall be credited to the Bar fund:-
(i) Admission fees.
(ii) Monthly Subscription
(iii) Donation from members, Public &/or Government.
(iv) Sale proceeds from the auction /sale of the condemned articles or furniture etc.
(v) Sale proceeds of waste papers etc.
(vi) Library fund.
(vii) Or any other accrual to the fund.
- Operation of Bar fund:- (b) (i) The Bar fund shall be operated upon by the President and Treasurer.
(ii) No amount of Bar fund shall be withdrawn from the bank without express permission of the Bar Association accorded in a resolution passed for the purpose except for disbursement of pay to the staff.
(iii) All money creditable to the Bar fund in excess of Rs. 100/- shall be kept deposited in a Nationalized Bank in the name of the Bar Association, which account shall be jointly operated upon by the President & the treasurer.
(iv) All expenditures shall be supported by a resolution of the Bar Association before it is made beyond Rs. 100/- except the pay of the staff upto which limit the Executive Committee may incur an expenditure without prior approval of the Bar Association in a month.
- Withdrawal of money from the Bar fund:-
- Money to be deposited in the Nationalized Bank- Cash in hand.
- Expenditures to be supported by a Resolution :-
- Expenditures, Valid Charge on the Bar fund:- (c) The expenditure incurred by the Executive Committee in the performance of their duty(ies) and functions under this constitution shall be a Valid charge on the Bar fund. For the

purpose of this clause the following shall be deemed to be a legitimate charge on the Bar fund:-

- (i) Purchase of Books for Library.
- (ii) Purchase of newspapers & periodicals.
- (iii) Purchase of Portraits of High Personages of the legal world and National Heroes.
- (iv) Refreshments etc. during the meetings of the Association or at the time of visits of high dignitaries or VIP invited to the Bar.
- (v) Contributions to any legal seminars or Advocates Conferences etc.
- (vi) Any other items of expenditure duly authorized by the Bar Association.

X

Amendment Procedure for:-

1.

This Constitution shall come into force on first day of Jan. 2018.

2.

The amendment of this Constitution shall be carried out in the following manner:-

- (i) A motion for amendment shall be seconded by at least one third ($1/3^{\text{rd}}$) of the members on roll.
- (ii) A motion for amendment before it is placed before the house, shall be circulated among the members seven days before the meeting.
- (iii) Amendments to the motion can be moved and made during the consideration thereof with the permission of the chair provided the intention to move such amendments has been communicated in writing to the president two days before the meeting.
- (iv) The motion for amendments of this constitution if passed by more than 50% members on Roll which should not be less than two thirds ($2/3^{\text{rd}}$) of the members present and voting shall have the effect to amend this constitution from the date on which it is passed.

Passed and approved by the Association in its General Meeting held on 10th day of January 2018 & signed by the following members in token thereof.

1. Anil Kumar Roperia
2. Balwant Singh Sheoran
3. Baru Singhmar
4. Bhim Sain Gautam
5. Chandi Ram Lohan
6. Krishan Gopal Kojal
7. Kuldeep Singh Bhatiwala
8. Mahipal Kojal

9. Ram Kumar Gautam
10. Ranbir Singh Duhan
11. Subhash Chander Dhanda
12. Vinod Garg
13. Hari Om Garg
14. Rohats Saini
15. Sunil Panihar
16. Dalbir Singh Duhan
17. Gian Parkash Lohan
18. Vikas Lohan
19. Sandeep Lohan
20. Devender Gautam
21. Bhim Singh Gautam
22. Sunil Kumar Haritash
23. Sunil Gautam
24. Sandeep Gautam
25. Ravinder Bhanbhu
26. Bhagat Singh Lohan
27. Pardeep Lohan
28. Arjun Singh Dhapda
29. Daljeet Siwach
30. Anand Kajal
31. Lalit Sharma
32. Sandeep Sharma
33. Kuldeep Sheroran
34. Devender Bisla
35. Sahdev Bisla
36. Sunil Sharma
37. Aajy Lohan
38. Robin Lohan
39. Sunita Lohan
40. Deepak Lohan
41. Hari Om Sharma
42. Sarwar Sindhu
43. Dharamender Singh
44. Kaptaan Singh
45. Pawan Rapparia
46. Sumit Kumar
47. Pardeep Pannu
48. Surender Pannu
49. Ravinder Dhanda
50. Ajmer Singhmar
51. Vikas Singhmar
52. Mamta Singhmar
53. Kamal Singhmar
54. Baru Singhmar
55. Amit Bansal
56. Amit Gautam
57. Surender Yadav

58. Ajay Sharma
59. Rajat Gautam
60. Umed Lohan
61. Ram Kumar Guatma
62. Harender Lohra
63. Sudhir Berwal
64. Rakesh Sindhu
65. Vijender Kohar
66. Anurag Sharma
67. Vishal Chahal
68. R.C. Sharma
69. Renu Bala
70. Bal Singh
- 71.

The Constitution Amended by Bar Association in the meeting held on under the Chairmanship of Sh. President. The Amendments approved by the Association authenticated as under:-

Sd/-

Chairman
Drafting Committee

Sd/-

President

Secretary

Members of the Executive :-

1. Vice President:-
2. Joint Secretary:-
3. Treasurer :-
4. Member Library incharge:-

Member on Roll of the Association:-

1. Anil Kumar Roperia
2. Balwant Singh Sheoran
3. Baru Singhmar
4. Bhim Sain Gautam
5. Chandi Ram Lohan
6. Krishan Gopal Kojal
7. Kuldeep Singh Bhatiwal
8. Mahipal Kojal
9. Ram Kumar Gautam
10. Ranbir Singh Duhan
11. Subhash Chander Dhanda
12. Vinod Garg
13. Hari Om Garg
14. Rohats Saini
15. Sunil Panihar
16. Dalbir Sing Duhan
17. Gian Parkash Lohan
18. Vikas Lohan
19. Sandeep Lohan
20. Devender Gautam
21. Bhim Singh Gautam
22. Sunil Kumar Haritash
23. Sunil Gautam
24. Sandeep Gautam
25. Ravinder Bhambhu
26. Bhagat Singh Lohan
27. Pardeep Lohan
28. Arjun Singh Dhanda

29. Daljeet Siwach
30. Anand Kajal
31. Lalit Sharma
32. Sandeep Sharma
33. Kuldeep Sheroran
34. Devender Bisla
35. Sahdev Bisla
36. Sunil Sharma
37. Aajy Lohan
38. Robin Lohan
39. Sunita Lohan
40. Deepak Lohan
41. Hari Om Sharma
42. Sarvar Sindhu
43. Dharamender Singh
44. Kaptan Singh
45. Pawan Rapparia
46. Sumit Kumar
47. Pardeep Pannu
48. Surender Pannu
49. Ravinder Dhandu
50. Ajmer Singhmar
51. Vikas Singhmar
52. Mamta Singhmar
53. Kamal Singhmar
54. Baru Singhmar
55. Amit Bansal
56. Amit Gautam
57. Surender Yadav
58. Ajay Sharma
59. Rajat Gautam
60. Umed Lohan
61. Ram Kumar Guatma
62. Harender Lohra
63. Sudhir Berwal
64. Rakesh Sindhu
65. Vijender Kohar
66. Anurag Sharma
67. Vishal Chahal
68. R.C. Sharma
69. Renu Bala
70. Bal Singh
- 71.

Rule	Sub Rule	Clause	Appendix-"A"
1.			These Rules Shall be Called "BAR ASSOCIATION NARNAUND, Library Rules."
2.			These Rules Shall come into force immediately.
3.			
	(a) Maintenance		<u>MAINTENANCE AND MANAGEMENT OF LIBRARY</u> The Executive Committee of the Bar Association shall maintain and manage the Library through member -in-charge of the Library, elected by the Association annually.
	(b) Purchase of Books		The Executive Committee of the Bar Association shall order suitable books for the Library from time to time, under Consultation with senior members of the Association.
	(c) Member's to suggest purchase Books.		Every members of the Association desiring the Library to purchase any book may give his suggestions in writing to the Library clerk who shall put up the same before the Member - in - charge for needful.
	(d) Duties of the Member-in-charge Library:-		The member in charge, Library shall perform the following duties and functions under the supervision of the President :-
	Registers	(i)	Shall cause to be maintained an upto date register of the books in the Library Containing the serial No. of the book, the year of publication, publishers, the cost of the book, the bill number, and the date of purchase etc. in Form I and II
		(ii)	The Register for issue and return of the books and other record as prescribed in Appendix I hereof.
		(iii)	Account books, Cash book & Ledger etc. as may be prescribed.
		(iv)	Such other registers and records as may be considered necessary and prescribed by the Association from time to time.
	List of Books Not Removable	(v)	Shall cause to be prepared a list of books not removable from the library, in consultation with the Executive and mark the same as such, and the list so prepared shall be displayed on the Notice Board of the Library and the Bar Association Hall

Damaged Books	(vi)	The Member-in-charge Library shall from time to time compile a list of unserviceable and damaged books and obtain orders of the President for consideration and/or replacement thereof, as the case may be and the fact shall be so recorded in the register of the books under the signatures of the President.
Repairable Books List of	(vii)	Shall submit a list of damaged books repairable from time to time and obtain orders of the President for repairs there of and cause them carried out.
Books marks	(viii)	The Member-in-charge Library shall ensure that the Book Mark in form VI is pasted on the outside of each Library Book duly filled.
(e) OF ISSUING BOOKS	(ix)	The books not marked unserviceable and/or not removable from the Library may be issued to the members for taking the same out of the Library in the manner herein after provided:-
Library Card & Issue of Books	(i)	The Members shall be supplied with a Library Card on the payment of requisite cost in Form VII, or which the members shall be entitled to borrow/draw four books at a time on surrendering the same to the Library Clerk who shall enter the number of the member's card in the book card (Form IV) and issue slip (Form No. V) and retain the book card alongwith member's card in his custody till books borrowed/drawn on the same are returned to the Library. No Book shall be issued to any member in any circumstances without surrendering the Library card to the Library Clerk.
Duration /period Books can be issued, for fine on delays	(ii)	The books borrowed as above shall have to be returned to the Library within two days failing which a fine of Rs. 1/- (One) per day per book, or any other amount as may be fixed/prescribed by the Association from time to time by a resolution passed by a simple majority of the members present and voting in this behalf in their general meeting, will be charged till the book(s) are returned.
Non Issuable Books Digests etc.	(ii) (a)	Not with standing anything contained in any provision herein before and after, no Digest of cases, multivolume Text-books & Commentaries and loose parts of the law Reports shall be issued to any member for a period beyond the day of issue and the member shall have to return the same before the closing time of the Library, failing which a fine @ Rs. 20/- per day per book shall be charged and Library facility withdrawn from such member till he
Fine on in fraction of Rule		

returns the book with fine, if he fails to return the book within twenty four hours of the delivery of a demand notice issued to him in this regard.

Damaged, Lost Books,
Liability of borrower,
for

(iii)

Any book issued to any members, if lost, damaged or mutilated, the borrower shall be liable to make the loss good by repairing or replacing the book(s) so damaged, lost or mutilated, as the case may be, to the satisfaction of the Executive. Under no circumstances the payment of the cost of the book shall be accepted, except in case the book lost is, to the satisfaction of the Executive out of print or publication and is not available in the market, in which case such defaulting member shall be liable to pay in addition to the cost of the book a surcharge thereon by way of damages to the Bar, to the extent of three times of the publication price of the book. However, the daily fine shall cease to accrue from the day the member deposits the price of the book to gather with the surcharge.

Books to Produced in
court procedure for
borrowing

(iv)

Notwithstanding anything contained to the contrary in clause (ii) of this sub rule, the members, shall, however, be entitled to borrow any number of books, other than those prohibited by clause (v) of Sub-rule (d) of Rule 4 and clause (ii-a) of sub rule (e) thereof, for the purpose of production in the local courts, subject to their submitting a written requisition for the same in Form (ix) specifying the name of the court, name of the case and date on which the books are to be produced and such borrower shall also on the days the books are so produced in the court, intimate the Library Clerk, on the prescribed form, the books actually produced in the concerned court giving the date fixed in the matter for pronouncing judgment or order, failing which he shall be liable to pay fine as prescribed in clause (ii) of this sub-rule.

Books not to be taken for
out station courts.

(v)

No book shall be taken away from the Library in any circumstances for production in any outstation court.

Members I/C Library to
realize fines How?

(vi)

The member-in-charge Library shall realize the penalty imposed under the provisions of these Rules and shall issue notice to the defaulting member(s) to make the payment within one week of the issue of such notice failing which the defaulting member(s) shall be debarred from the use of the Library in future till he clears the Library account.

Withdrawal of facilities

Books Produced in court (vii)
Return of

The books borrowed by the members for production in Court must be returned to the Library, within one week of the pronouncement of the judgment/ order by the court where as the books not produced in the court on the day case has been argued that very day, failing which a fine of Rs. 2/- (two) per day per book shall be chargeable and the defaulting member shall be liable to any or all of the penalties hereinbefore and after provided; in case the books are not released in time by the court or the court, on the day fixed for orders adjourns the case and postpones the announcement of the judgment or order to some other day, the same must be intimated to the Library and in that case the member shall be taxed only after the books are released by the Court and he defaults in returning the same to the Library.

Consequences of default. (viii)

The member - in- charge Library shall report to the Executive from time to time the names of such defaulting member(s) and the Executive shall treat and regard the arrears of penalty imposed here in before & after as arrears of monthly subscription and shall be entitled to take action against such defaulting member(s) under the provisions of the Constitution, such as removal of the names from the rolls of membership of the Association or any other suitable action as they may deem proper, subject to the approval of the Association.

Taking Book (ix)
unauthorisedly
disregarding Rules -
Consequences of

Any member taking out any book(s) without passing receipts and surrendering the Library card to the Library clerk or in any other manner prejudicial to these Rules, shall be liable to a penalty of Rs. 10/- per day per book in addition to any penalty/ fine that may be levied or imposed under any other provision of these Rules. The realization of such penalty/fine shall also be governed by the rules and clauses herein before contained.

Stationery (x)

The Executive shall cause book pockets (Form X) cards (Form IV) and issue slips (Form V) printed and supplied to the Member-in-charge Library who shall ensure that every Library book contains book pockets pasted on its inside cover and issue slips on the last page and the book card, duly filled in, is placed in the book pocket.

Advocates agent How (xi)
can draw Books:

No Book shall be issued on behalf of any member by proxy save through his duly authorized clerk/agent.

who, shall have to submit for inspection, his identity card, to the Library clerk/Librarian, duly authenticated by the President in Form VIII.

Photocopying taking Xerox Copies:-

(xii)

Every member, not withstanding anything to the contrary contained in any provision of these Rules hereinbefore contained, shall be entitled to get any portion of any book photocopied at his cost and under direct supervision of the Librarian/ Library Clerk or Member-in-charge of the Library.

5. Appointment etc

(a)

LIBRARY STAFF AND DISCIPLINE:

The appointment, dismissal, and punishments etc. of the Library staff shall be governed by the Constitution of the Bar Association.

Safe Custody of Books

(b)

The Librarian / Clerk will be responsible for the maintenance of the Library and the safe custody of the books under the supervision of the Member-in-charge Library and the Executive Committee of the Bar Association.

Appointment of additional staff.

(c)

The Executive may at anytime appoint a peon/dufri for the Library subject to the approval of the Bar Association, in keeping with their needs and resources.

Telephone Log Book

(d)

The Library Clerk/Librarian shall maintain a telephone log book as and when a telephone is provided in the Library and shall see that nobody uses the telephone unauthorisedly in any case.

Clerk to Maintain Record.

(e)

The Library Clerk/Librarian shall maintain all the prescribed records in the manner directed by the Association.

6.

MAINTENANCE OF ORDER AND DISCIPLINE IN THE LIBRARY AND OTHER ROOMS OF THE BAR COMPLEX:-

Decorum

(a)

No member shall make any noise in the Library or in any other rooms adjoining the same in the complex and members shall behave and conduct themselves in the dignified manner behaving the members of the noble profession to which they belong.

Order's of the Executive abiding to

(b)

The members shall abide by the orders and decisions of the President and Executive Committee of the

Dated 22-Sep-2021

Bar Council Main Fund
Sector 37
Dakshin Marg
Chandigarh - 160036
E-Mail : lawbhawan37@gmail.com

Receipt


Received with thanks from : PRESIDENT, BAR ASSOCIATION

The sum of : INR Five Thousand Only

By : Cash

Remarks : PRESIDENT, BAR ASSOCIATION,
NARNAUND(HISAR), BAR REGISTRATION.

₹ 5,000.00/-


Authorised Signatory

3. Bar Association, Hansi

Your Sincerely

Kuldeep Singh Bhatiwala Advocate,
President of Local Bar Association, Narnaund,
Sub-Division Narnaund, Tehsil Narnaund
District, Hisar.

Scanned with CamScanner

The Chairman,
Bar Council of Punjab and Haryana,
Sector 37-A, Chandigarh

Subject:- Information/reorganization regarding formation of New Bar Association
at Narnaund, Sub-Division Narnaund, Tehsil Narnaund, District Hisar.

R/Sir,

We are pleased to inform your goodself that about Fifty Six members of Bar are regularly working at Sub Division Narnaund and we have democratically elected our body for the Bar Association at Narnaund. Sub Divisional Magistrate is having a permanent office at Narnaund and exercising Judicial powers and revenue powers. The Association has been registered with Registrar Vide registration No.2830 on Dated 13-09-2018 and Sh. Kuldeep Singh Bhatiwal, Advocate, is working as President of the Local Bar Association, Narnaund.

It is, therefore, requested to kindly reorganization / in-corporate our Association for all future guidance, instructions and records.

The Association will abide by all the rules and instructions of the Bar Council of Punjab and Haryana, Chandigarh and ensure the best corporation.

Copy

1. District and Session Judge, Hisar.
2. SDJM/JMIC Hansi.
3. Bar Association, Hansi

President Bhatiwal
Bar Association
Narnaund (Hisar) 21/09/2021

Your Sincerely

Kuldeep Singh Bhatiwal Advocate,
President of Local Bar Association, Narnaund,
Sub-Division Narnaund, Tehsil Narnaund
District, Hisar.