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Bar Association Phul Dist Bathinda.

We the members of the Bar Association Phul do hereby adopt the constitution in the democratic set up of our country India and pledges to secure, justice, social, economic & political to all the litigant public and shall also secure the liberty of thought of expression & equality of status and of opportunity to the members of the association and shall maintain the dignity of legal profession in the individual & in general and will also promote the legal fraternity in the best possible manner and may also provide legal aid to the weaker section of the society or to the needy and shall promote and maintain the pious relationship of Bar & Bench in the legal traditions of our loving country, according to the rules framed herein under this constitution.

Name of the constitution:

1. The constitution shall be called as constitution of Bar Association Phul.

Applicability:

2. The rule of the constitution shall apply to all the members of the association and it shall come into force immediately on 5 Dec. 1997.

Location of Office:

3. The office of Bar Association Phul shall be at Phul Town in the precincts of Court Complex at Phul Town.

Membership:

Every advocate on this date practising law at Rampura Phul Sub division and whose name and signatures appear in the annexure A shall be deemed to have been admitted as a member of this association. Provided that the advocate who is aspirant to become the member of the association shall also fulfill the following qualifications:

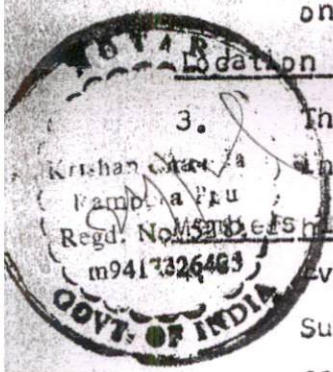
Qualifications:

5. An applicant to qualify himself for admission to this association must be a member of the Bar Council of Punjab & Haryana and should not have been disqualified as such.
6. He has not been suspended, disqualified or expelled from the membership of any Bar Association. He should not be a member of any other Bar Association alleged to be existing parallelly here at Phul town at the time of his filling the application or signing the constitution.
7. He should not have been convicted by any court of law under civil or criminal offence or under moral turpitude.

Compared with the Original  
CERTIFIED TO BE TRUE COPY

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Krishan Chand Jaha  
Notary Public  
Rampura Phul





other profitable business which renders him unfit for the membership of Bar Council of Punjab & Haryana or Bar Council of India.

9. He should also furnish a character certificate from any-competent person or any class one officer or last attendant institution.
10. He shall also furnish an affidavit regarding his qualification and other necessary requirement at the time of his filing application before the Bar Association Phul.
11. An Advocate shall not be entered as a Member of the Bar Association Phul in the month of December because this month shall be considered to be the month of election process. His application shall be considered only after the completion of election process.

PROCEDURE FOR ADMISSION FOR NEW MEMBERS:

12. The application for admission as a member of this association must be proposed by at least one member and second by at least another member of this association. The application must be in writing in the form prescribed in annexure B. The application must be signed by the applicant and the proposal must be signed by the proposer and seconder and this application shall be submitted to the secretary of the association and the applicant shall deposit admission fees along with one years subscription in advance at the time of the filing of the application to Bar Association Phul.
13. The secretary shall on receipt of the application mentioned in rule 12 and after ascertaining from the Treasurer the fact of the deposit of requisite fees with him. The Secretary then put up the application before the Executive committee. The decision of the Executive committee on the application for admission by majority vote shall be final & it shall be decided within one month.
14. If the applicant is duly admitted as a member of this association this fact shall be notified to him by the Secretary without delay. In case the applicant is not admitted his admission fees along with subscriptions paid in advance for one year, shall be refunded to him, without any delay.

members of the rejection of his last application.

#### Admission Fee

16. The admission fee shall be Rs. 200/- only + 25 rupees for application form.

#### Monthly subscription:

17. Every member of this association shall pay Rs. 50/- per month as subscription provided that if the payment is made on or before the tenth day of the month but if he fails to deposit the subscription by 10th of the month, the member shall have to pay Rs. 55/- for that month. Provided further that the subscription for the month of July every year can be paid at the rate of Rs. 50/- upto 25th of July as this month comes during summer vacations.
18. The subscription shall be paid in advance on the first day of every month & shall be compulsory in all respects.

#### Special or Additional fund.

19. On any special occasion the members of this association in a general meeting by a resolution may raise any fund to meet out the expense of any special purpose and may prescribe special fund or additional fund to be paid by each member of this association within such period which may be prescribed by that resolution and such resolution shall be passed by a simple majority. Any member failing to pay the special subscription before prescribed day shall be considered as defaulter for all purposes.
20. The admission fees and monthly subscription may be altered by a resolution of the general body by not less than 2/3rd of the total member of this Association.
21. A member failing to pay subscription for three months shall be considered defaulter.  
The secretary shall require defaulter member by a notice in writing to the concerned member and shall ask him to clear his arrears within 15 days of receipt or service of the notice.
22. If the defaulter fails to comply with the notice mentioned in rule 21 within 15 days of the receipt of the service of such notice, he shall cease to be a member of this association but he shall be eligible to be readmitted as a member on payment of Rs. 500/- as readmission fee and arrears of subscription & other charges due from him.



Secretary and Treasurer on an executive committee consisting of the above said four office bearers only.

2. Qualifications of President:

24. Any Advocate who is aspirant to contest the election of President must have ten years standing at the Bar and must be a member of this Association.
25. Besides this he must ~~also~~ possess all the qualifications set forth in the above mentioned rules.
26. An advocate cannot enjoy the office of President for four terms in any manner provided further if no advocate comes forward or is reluctant to contest as President of the Bar then any senior member of the Bar will be elected as the President of the Bar in that advocate refuses to hold the ~~XXXXXX~~ ~~XX~~ ~~XXX~~ ~~XXX~~ office of the President then the next senior member of the bar Association can be elected as the President of Bar Association unanimously (This rule is not applicable to the other office bearers).

Vice President:

27. An Advocate who is aspirant to the Vice President of the Association shall possess the same qualifications as of the President except the experience that is required for 5 years only.

Secretary: -

28. Besides other qualifications any advocate who is aspirant for the post of secretary of the association shall have completed minimum 5 years at the Bar at Phul.

Cashier: -

29. Besides other qualifications an advocate who is aspirant for the post of cashier must have completed minimum 5 years at the Bar at Phul.

Election Process:-

30. The President, vice president, secretary and cashier shall be elected in the annual general meeting of this association and shall hold office until the next election provided that the office bearers now functioning shall be deemed to have been duly elected until the election.
31. The Election of the officebearers of this association shall be held every year in the 3rd week of December for this the election process, shall be completed in the month of December.



holder, shall cease to hold office on 31st December of the respective year.

33. In such eventually the general body of the association on a requisition by five members of the association shall meet in the bar room Judicial complex in the first week of January and elect officebearers of this bar association. Such a meeting shall be presided over by the member of this association whose name comes first seniority wise.
34. The office bearers of this association shall be elected in the meeting of this association to be held in 3rd week of the December every year.
35. The election notice shall be issued by the President/returning Officer to the members of this association in the first week of December and minimum one week period shall be provided for filling nomination papers by the candidates and after that this period shall not be extended in any event.

The returning officer shall also fix ~~the date of~~ the date of filling the nomination papers, the date of scrutinisation, the date of withdrawal and date of acceptance or rejection of nomination papers and whole of the election process shall be conducted within a week.

36. The election meeting shall be presided over by the person most probably by the president or returning officer or by any other presiding officer duly nominated or appointed by the General house of the Bar association at that time.
37. If there will be more than one proposal for any office, then the voting shall take place separately for each office.
38. The candidates securing more votes than other candidates for the concerned office shall be declared elected to that office. The Presiding officer shall have the right of casting vote in case of equality of votes in favour or against of any candidate. The election process/voting process can be flayed by secret ballot at the time of election.
39. The election process duly conducted by the members of the Bar association shall not be called in question in any court of law because the members are expected to maintain the dignity of the highly esteemed legal profession in the eyes of general public, and the same principle shall also be applicable to the rules of the Bar Association Phil.



on 7th of every month provided further that if any holiday falls on seventh of that month then the meeting of the association can be called on the next following working day after finishing the holiday/holidays as the case may be.

41. The association will discuss all the important issues concerning with its legal profession, business of the association and other incidental matters on that day.
42. The President or the secretary as the case may be will appraise the progress of the past month to the members and the cashier will report regarding the accounts before the general house.
43. At all the meetings of the general body of this association not less than half of the total members of this association shall form a quorum for the meetings.
44. All the meetings of the executive committee or the general body of this association shall be presided over by the President and in his absence by the Vice President. In the absence of both by the secretary.
45. All questions shall be decided by majority of votes of members present at voting at meeting and in the case of equality of votes, the Presiding Officer <sup>amongst the</sup> office bearers who-so-ever he may be shall have the casting vote.

Minutes of the meeting:

46. The minutes of the proceeding of meetings of the executive committee and of the general body shall be recorded in the proceeding book duly maintained by the secretary, such minutes shall be confirmed and signed by the president or the next presiding officer among the office bearers on that day.
47. The fund of the association shall remain in the custody of the cashier he shall be responsible for maintaining regular accounts upto date and correct accounts of all the funds, receipts and expenditure. All the accounts books shall be open for inspection by every member of this association at all convenient hours.
48. All the resolution carried out by the majority of the member of the association shall be abide by the members respectfully otherwise the violating member shall have to face the general house in this regard and the general house shall take appropriate action against the concerned member and if he found guilty then he shall be fined to the tune of Rs. 250/- and it can also be raised upto 500/- rupees but it shall not be more than 1000/- rupees in any case.
49. Power and function of the President.  
will preside over the meetings of the executive committee.

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51. May sanction an expenditure nor exceeding 500/- on any item in a month.
52. Will advise/direct secretary to call the meetings of the executive committee of the general body of the association.
53. Shall be over all incharge of the activities and projects of the association.

Vice President:

54. In the absence of or on the advice of the President he will perform the power and functions of the President.

Secretary:

55. Shall record the proceedings of the meetings.
56. Shall keep the record of the association i.e. proceeding book in his safe custody.
57. shall also look after the work of the association in the office of association.

Cashier:

58. shall keep the upto date accounts of the association.
59. shall receive donations, funds grants, loans subscriptions on behalf of the association and shall also issue official receipts for the said purpose.
60. Shall release payments, issue cheques or the expenditure approved/sanctioned/directed by the executive committee or by the President as the case may be.
61. shall submit montly accounts statements, in the meetings of executive committee of of the general body.

Notice of meeting:

62. Two hours notice will be required to call emergency meeting.
63. Extra ordinary meetings shall be called after giving three days notice.
64. Ordinarily meetings shall be called by giving seven days notice.
65. Every meeting, duly called by the executive committee/President/Secretary shall be presided over by the President or in his absence by any other office bearers according to the designation of that office bearer.
66. Every resolution duly passed by the members present in the meeting shall be signed by the President or in his absence by the vice President and in his absence by the Secretary and shall be considered valid. In the absence of all the office bearers of the executive, any resolution passed by the members present in the meeting shall be signed by all the members or shall be considered valid if it was passed by 2/3rd members of the total number of the members of the Bar Association Phul.



body of the house of the association, which shall be authorised to issue any orders in the interest of the association and that orders shall be carried on by all the members without any objection and this shall be called the privilege of the general body of the house of the association. This privilege can be exercised by 2/3rd majority of the total members of the Bar Association, Phul.

Amenments:

68. 2/3rd Majority of the members of the association shall be required for making any amements in the constitution of the association.

Vacancy:

69. Whenever ever there shall be any vacancy of the office bearers by means of the death, resignation, or termination the President or general body of the house shall have the power to appoint the new office bearer by passing a resolution in this regard in the meeting duly convened for this purpose.

The President will submit his resignation to the vice president and other office bearers will submit their resignations to the President, if there is any need in this regard.

Property:

70. All property moveable or immoveable of this association shall vest in the association but it shall be managed by the executive committee of this association.

71. Any member, who cease to be a member of this association for any reason whatsoever shall cease to have any claim or right or interest in the property of this association.

Library:

72. A systematic arrangement shall be made for the maintenance of the books of the library and one member of the association shall be appointed as incharge of the Bar Library, who shall be responsible for the day to day maintenance of the books of the library and he shall also maintain a regular register, regarding the books of the library and shall issue books to the needy advocates from time to time. Every member shall deposit Rs. 300/- as Library security.

73. No Advocate will be entitled to retain the books of the Library more than three days and the book/ books shall be returnable after three days to the incharge of the Bar Library otherwise the incharge of the library can charge rupees 5/- per book per day from the advocate concerned.



74. The members of the Bar Association Phul may provide legal aid to the weaker section of the society or to the needy from time to time or when it so required according to the provisions of The Legal Authorities Act, 1987.
75. Well come/Farewell Programmes.  
The Bar Association Phul shall also make suitable arrangements to say well come to the high dignataries or to other Judicial/ executive officers and in the same manner the Bar Association Phul shall also make suitable arrangements to give Farewell to any Judicial/Executive Officer on the eve of his transfer from Phul to any other place.
76. Clerks(Munshi) of Advocates(Members)  
All the members(advocates) of association are required to have one Clerk(Munshi) who will look after the day to day work of the concerned advocate and who will also give a helping hand in the courts proceedings during the absence of that advocate, or whenever the advocate shall be busy in other court. This shall be regularised according to chapter 6 part J of Volume No.5 of Punjab and Haryana High court rules and orders.
77. Rules  
Duties of the members of the association and Directive principle of this association:
77. The simplest and the best formula for a lawyer entering the profession should be is that in all situation, he must remember to act as gentleman.
78. He should remember in joining the legal profession, he has not entered in the business merely to ear money, but that he has joined a learned profession which has some definite and well recognised rules and ideals.
79. If at any time his opinion is sought in any matter he should give the most dispassionate and honest opinion so that the person approaching him may not put in unnecessary loss.
80. He should be keen intellect and capacity to work hard, the legal profession holds unlimited prizes.
81. He should also be ready to do real good by helping the proper administration of Justice and maintenance of Judicial standard.
82. He must possess high moral qualities and should remain honest at every cost.