

**THE CONSTITUTE
OF
THE BAR ASSOCIATION
TALWANDI SABO (BATHINDA)**

We, the practicing Advocate of Talwandi Sabo, Distt. Bathinda, hereby solemnly resolve with a view to secure to all the Members individual Dignity, equality of opportunity, liberty of thought, expression and belief to constitute ourselves into the Bar Association of Talwandi Sabo, (Bathinda) this day of **1st JUNE, 2011**

And in furtherance of this object hereby adopt and give ourselves the following constitution, suppression of all the constitutional rules hitherto in force:-

TITLE:

1. This Association shall be called **THE BAR ASSOCIATION TALWANDI SABO, (BATHINDA)**.

MEMERSHIP:

1. Every practising Advocate at Talwandi Sabo whose name and signature appears in annexure 'A' or who sign on the Annexure before 31st March, 2009 shall be deemed to have duly admitted as member of this Association, provided that each such member puts in particulars in Form Annexure 'B'.

2. (i) A Legal Practitioner desirous of becoming a member of this Association shall, on depositing the admission fee, hereinafter prescribed, be proposed by at least one member of this association and seconded by another. Admission application come proposal shall be in writing in Form Annexure 'B' addressed to the Secretary and shall be signed by the applicant, his proposal and seconded.

(ii) The Secretary shall, on deposit of written application put it upto the President as soon as Practicable, but not later than a week from the date of deposit of admission fee. In case, for reason to be recorded, the President, refused to admit, the Secretary shall put it upto the Executive Committee within a week of the rejection.

(iii) An applicant shall be deemed to have been admitted as a member of this Association if 2/3 of the members of the Executive Committee present in voting to decide.

(iv) If an applicant have been duly admitted as a member of this association, the fact shall be notified to the applicant without delay. In case an applicant is not admitted, his admission fees shall be refunded by the Secretary.

(v) An applicant whose application for admission has not been allowed may not apply again within less than three months of the rejection of his last application.

QUALIFICATION:

3. An applicant to qualify as a member of this Association:-

(i) Must be a member of Bar Council of Punjab and Haryana should not have been disqualified as such;

(ii) He has not been suspended, disqualified or expelled from membership by any Bar Association.

ADMISSION FEES:

4. The admission fees shall be **Rs. 1000/-** only.

MONTHLY SUBSCRIPTION:

5. (i) A member shall pay Rs. 20/- per month as subscription provided that if payment is made before 10th Day of the month, subscription can be paid at the rate of Rs. 5/- per month as fine.

(ii) Subscription shall be payable an advance on first of the month which it is due,

(iii) The rate of admission fee and monthly subscription can be altered by a resolution of General Body by not less than 1/2 of its members.

(iv) A member failing to pay subscription fee for Six months shall be considered to be in default. The secretary shall require such member by a notice in writing and the defaulter shall clear of his arrears within 15 days of receipt or service of such notice.

(v) If the defaulters fail to comply with the above notice even after expiry of 30 days from the receive or

service of such notice, he/ she shall cease to be a member of this Association, but he/ she shall be eligible to readmitted as a member on payment of Rs. 300/- as penalty within 6 months of his ceasing to be a member, provided he/ she also pays off all arrears of subscription fee and other charges.

PROPERTY OF THE ASSOCIATION:-

6) (i) All property, moveable or immoveable now in the ownership and possession of the members as such, who have agreed to give themselves this constitution, shall be deemed to be the property of this Association as per details in the (a) Register of Books (b) Register of other property (c) Cash Book etc.

(ii) Any member who ceases to be a member of this Association for any reason whatsoever, shall cease to have any claim or interest in the property of this Association.

EXECUTIVE COMMITTEE:

7. (i) There shall be an executive committee of this Association consisting of a President, a Vice- President, a Secretary, a Joint- Secretary.

(ii) The executive Committee elected Annual General Meeting of this Association and shall hold office until the next election, provided however that the executive committee now functioning shall be deemed to be a duly elected executive committee until next election.

(iii) If office of any member or members of the executive committee fall vacant during the course of the Year of normal terms there place shall be filled up by the election in a meeting of General body.

Provided that (a) on the vacancy of the President, the Vice President shall act for him and,

(b) on vacancy of the any other executive committee, it temporary arrangement may be made by the executive committee till such time as such office bearer (s) is duly elected by the General Body.

YEARLY REPORT:

8. The Secretary shall at least two weeks before election of the Executive Committee in annual General

Meeting, call a General meeting of the Association a which he shall present a report of the work accounts, assets and property of the Association of the Past Year.

DATE OF ELECTION OF EXECUTIVE COMMITTEE:

9. (i) Election of the office holders of the Executive Committee shall be held every years on 10th April or on such other date and at such other date may be so fixed by the Bar Association in a General Meeting, but not later than 30th April.

(ii) In case the Executive Committee or its office holders fails to hold election as provided in Article 9(i), the office holders shall ceases to hold office on the 30th April every Year. In such an eventually, the General Body of the Association on requisition by 10 members shall meet in the Bar room in first week of May at 1 p.m. and elect an administrative by a simple majority of the Members present and Voting. Such a meeting shall be presided over by members of the Association whose name comes first Alphabetically in English. Such elected administrative shall have powers:-

a) To take charges of the Association from outgoing Executive Committee.

b) To carry on the affairs of the Association till election of new Executive Committee.

c) To hold election of the new Executive Committee on or before 1st June of that Year, He shall follow the provisions for the election(as for as applicable) provided in these Articles.

ELECTION PROCEDURE:

RETURNING OFFICER:

11. A returning officer shall be elected by the General Body of the Association at a meeting by show of hands by simple majority as also by the majority of the members present at voting. Such meeting shall be held on a working day in the first week of the month of March Annually.

12. The returning officer shall not be eligible to be elected as Member of the Executive Committee and not have right to vote.

13. The returning officer so elected shall assume his office on his election which shall be notified by the Secretary on the main notice Board of the Association within 2 days of his election. He shall have free access to records of the Association.

14. Twelve days before the date fixed for election, the Secretary of the Association shall publish on the main Notice Board of the Bar room a provisional list of the members of the Association who are eligible of Vote. The list also shall specify the name of the returning officer who will deal with claim and objections under Article 16.

15. No member shall be eligible for vote if he defaulter for more than four months on the date of declaration of election program and no subscription will be received for making his eligible for voting.

16. Only those member will be entitled to vote for election of office bearers who are entitled as member of this Bar on or before 1st January for the respective year of election of office bearers.

17. At least a week before the date fixed for election returning officer shall publish on the main notice board of the Bar room a final list of the members of the Association as are entitled to vote.

18. The final list published under Article 17 will be conclusive unless the omission is accidental or an error is clerical.

19. The returning officer shall, along with the publication of the final list vide Articles 17, by General Notice published as aforesaid on the main notice board, require eligible voters to nominate in writing separately office wise, a member of the Executive Committee, within 3 days of the requisition, on prescribed nomination from annexure 'C' to be obtained from R.O. provided that the member of the nominated must also be an eligible voter.

20. Every nomination shall be duly proposed and seconded by member entitled to vote and accepting in writing by the candidate and the nomination paper shall be handed over to the returning officer or such other person as may be authorized by returning officer to receive such papers, provided that no member shall be entitled to file more than one nomination paper or for more than one office.

21. The returning officer shall thereafter within 24 hours notify in writing on the main notice board the name of duly nominated candidate for election to the Executive Committee. Withdrawals of nomination papers can be made within two days after such publication. The final list shall then be published on the notice board by the R.O. within three days of the publication of the list of nominated members.

22. There shall be no election of members of the Executive Committee if the number of members so notified as duly nominated under Article 21 is equal to the number of office holders of Executive Committee to be elected. The members so nominated shall be deemed to have been elected to respective offices.

23. On the date fixed under Article 9 or any subsequent date to which the annual election of Executive Committee is adjourned by returning officer, the eligible voters shall proceed to elect the members of Executive Committee:

(a) If the number of persons notified as duly nominated under Articles 21 exceeds the number of persons to be elected or

(b) If the number of persons notified as duly nominated under Articles 21 and deemed elected Article 22 is less than the number of persons to be elected. The election shall be held to elect number(s) to the extent of making up the number in addition to those elected under Article 22.

24. The returning officer will preside on the election meeting.

25. Voting in the election meeting will be secret ballot.

26. The election shall be direct. Each eligible voter shall have a right a single non transferable vote.

QUORUM:

27. 4 members present at a meeting of the Executive Committee shall form a Quorum

28. At all general and special meetings of the Bar Association not less than 1/3 of the total members shall for a quorum, provided that if any such meeting has once been adjourned for want of quorum there shall be no restriction of the quorum for the adjourned meeting which

will transact only the business of the meeting so adjourned.

Provided also that for a meeting of the Association to considered conduct of any member the quorum shall never be less than 1/3 of the total members.

29. A meeting adjourned otherwise than for want of quorum shall confirm to the normal provision of Quorum.

MEETINGS:

30. All the meeting of the Executive Committee and of the General Body (except the Election Meeting) shall be presided by the President and in his absence by the Vice-President.

In the absence of both, a Chairman shall be elected from amongst the members present at the meeting by show of hands for the business of that meeting.

31. Except, as otherwise provide in these Articles, all question shall be decided by the Majority of the Votes of members present at the meeting, and in case of quality of votes the chairman shall have a casting Vote.

32. The Executive Committee shall hold its meetings after one days notice to its members, provided that and urgent meeting may be summoned at 2 hours notice. A meeting of the Executive Committee may be called at the instances of the Secretary or President.

33. It shall be lawful for the President or the Secretary to call General Meeting of the Association when ever he thinks it desirable after giving two days clear notice to the members present at his station except in case when business of a purely formal nature is to be immediately transacted and in that case a sorter notice to the members present in the Compound of the Courts shall be sufficient and such notice may be put upon the Notice Board in the Bar Room. Provided that the business shall not be deemed to be of a formal nature if 1/3 of the members present object to its being of a formal nature.

34. The Executive Committee or any 10 members of the Association may require the president or Secretary call a special meeting of the General Body to consider a matter which shall be definitely specified in the direction or requisition.

A notice of such special meetings shall be given at least 2 clear days before the day of the meeting and shall specify the matter to be discussed. On Failure of the President and the Secretary to call such a meeting the requisitioning member shall be competent to summoned such a meeting by circulating a notice to the members of the Association.

MINUTES etc.:

35. Minutes of the proceeding of the meeting of executive committee and of the General Body shall be recorded in the particular book maintained by the Secretary. Such records, as also other records of the Association shall be open to inspection by the members at all convent Hours. Such minutes shall be got confirmed from the President/Chairman.

PROFESSIONAL MISCONDUCT:

36. (1) All questions affecting professional conduct of members towards the Bar Association or towards each other shall be deal with:-

(i) in case of a complaint against a member by Executive Committee.

(ii) in case of a compliant against Executive Committee, by a special Committee of the General Body which may be elected at a General Meeting of the Association.

(2) A notice of such a complaint containing sufficient particulars of the charges shall be served on the member or the Executive Committee, as the case may be, by personal delivery or through Registered Post.

(3) The Executive Committee or the Special Committee shall enquire into the Matter in accordance with the rules of the natural Justice and any take action in one or more of the following ways:

(i) By directing compliance with its orders or

(ii) By censure or

(iii) By calling for suitable apology or

(iv) By asking the members to resign or

(v) By expelling him from the Association

Provided that the action under (3) iv, v shall be subject to confirmation in special meeting of the general Body.

37. In case complaints by clients against the members of the Bar Association in respect of professional dealings, the President and the Secretary shall be competent to enquire and see if any amicable punishment can be effected.

38. An appeal from an order of the Executive Committee or Special Committee in an inquiry contemplated in Articles 36 shall lie of the General Body of The Association and shall be filled with the Secretary within 30 days of the passing of the order. The Secretary shall convene a general meeting as expeditiously as possible, and the appeal shall be heard and decided by a majority decision, which shall be conclusive provided that there shall be no appeal against Orders under Articles 36 (3) iv and v.

FUNDS AND BUDGET:

39. The funds of the Association shall be deposited with any schedule Bank or any Post Office, in the Saving Account.

40. The account shall be operative the President and the Secretary.

41. The secretary shall be entitled to resist not more than 1000/- as impress money at a time.

42. The Executive Committee through its Secretary shall cause to be framed the actual and revised estimates of income and Expenditure for the Current Year as well as those for the coming year to be laid before the Annual General Meeting of the Association.

43. The Budget shall be presented to the general body by the Executive Committee within 15 days of its election.

44. The General Body of the Association at the Meeting to elect returning officer, shall elect and auditors from among members of the Association for checking of the accounts of the Association. The auditors shall send his report to Executive Committee on or before 15th March, and such reports shall be placed before the General Meeting along with Budget.

45. The Executive Committee or the General Body of the Association shall be competent to do or decide are incidental matters not specially covered by these Articles.

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Removal of Office Bearers:

46. Not less than 1/3 members of the Association can by a petition in writing signed by them require the general body to remove any member or office bearer of the Executive Committee.

Such Petition shall be presented.

(a) In case it is against the President to the Vice President.

(b) In case it is against the Vice- President to the President.

© In case it is against the President and Vice President to the Secretary.

(d) In case of any office Bearer, to the President.

47. A meeting of the General Body shall be called within Seven days of the receipt of such notice by the President or the Vice-President or other members as the case may be.

48. Such members can be removed by a resolution passed in that meeting by not less than 2/3rd members of the Association.

49. All members of the Association shall take oath or allegiance in form Annexure 'D'.

AMENDMENT:

50. Amendment of these Articles can be made by not less than 2/3 of the Association in a General Meeting.

Enforcement:

51. This Constitution will come into force on 01-04-2009.

52. The Executive Committee may make rules generally to carry out the activities of the Bar Association Talwandi Sabo and in particular for the following:-

- (i) Library
- (ii) Establishment
- (iii) Canteen
- (iv) Maintenance of accounts
- (v) Maintenance of Property.

Provided that such rules shall be subject to confirmation by the general body in a General Meeting.

MEMBERS OF Constitution Committee

1. Hardev Singh Sidhu (Dhinger) Advocate
2. Harbans Singh Chahal Advocate
3. Vikas Bansal Advocate
4. Om Parkash Garg Advocate
5. Sukhdev Singh Sidhu Advocate
6. Bhagirth Raj Bansal Advocate
7. Bhupinder Singh Jourkian Advocate

Annexure 'A'

Sr. no.	Name and Address of Advocate	Phone no.	Mobile no.	Enrollment No.
1.	Hardev Singh Sidhu (Dhinger) S/o S. Joginder Singh Dsmesh Colony, Talwandi Sabo	01655-220126	99889-00927 94176-51584	P/205/79
2.	Vikas Bansal S/o Sh. Vijay Kumar Bansal Main Bazar, Talwandi Sabo.	01655-220803	94175-40735	P/1167/ 02

President
BAZ ASSOCIATION
Talwandi Sabo