

CONSTITUTION OF SUB-DIVISIONAL BAR ASSOCIATION JAITU, DISTT. FARIDKOT,  
PUNJAB.

THE NAME AND PLACE OF FUNCTIONING:

The Sub-Divisional Bar Association Jaitu is duly constituted body under the Advocate Act, 1961 with its office in the Bar Room, Tehsil Complex, Jaitu and shall be called by the name "SUB DIVISIONAL BAR ASSOCIATION JAITU" and shall be governed under the provisions of Advocate Act, 1961 and rules framed there under, which shall function under the Bar Council of Punjab and Haryana and the Bar Council of India.

MEMBERSHIP:

Any Advocate duly enrolled with The Bar Council of Punjab and Haryana and any other State Bar Council can be a member of this Bar Association.

PROCEDURE FOR MEMBERSHIP:

An Advocate who want to be a member of this association has to move an application and pay the admission fee as prescribed from time to time, duly sponsored by atleast tow members of this Bar Association. After proper varification, which application shall be put for consideration before the meeting of members of the Bar Association and if accepted such an Advocate shall become the member of the Bar Association on tenable grounds. On removal of cause of rejection another such application can be moved afresh after expiry of six months time or as fixed by the President for consideration, and previous rejection will not operate as Bar.

OFFICE BEARERS :

The following shall be the office bearers of the Bar Association duly elected by means of election, or unanimously.

- 1) President.
- 2) Vice President.
- 3) Secretary.
- 4) Any other post created by the Bar Association through special resolution.

QUALIFICATION OF THE OFFICE BEARERS :

A member desiring to seek election as President shall have atleast 10 years continuous standing at the Bar and Vice President shall have atleast 5 years standing at the Bar. There shall be no bar for the post of Secretary.

TERMS OF OFFICE :

The office bearers shall hold their office for a period of one year.

ELECTIONS :

The election shall be conducted as per rules annexed herewith as Annexure 'A'.

REMOVAL FROM MEMBERSHIP :

Any member of the Sub-Divisional Bar Association, Jaitu is liable to be removed from membership on following grounds :-

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- 1) If the member ceases to be on the roll of the concerned Bar Council.
- 2) Defaults to pay the monthly subscription/membership fee/other charges continuously for a period of 3 months.
- 3) Abstains from attending the Bar Association meetings without any reasonable cause, continuously for a period of more than six months. However this will not apply to those members practising on Taxation side.
- 4) Though present in the Court Complex, inspite of due notice omits to attend the Bar Association meetings, inspite of imposition of the fine which may extend to Rs:200/- (rupees two hundred only) for each default
- 5) Commits such acts of omission or commission within the courts complex or out side, which the Bar Association considers as unbecoming of a member.
- 6) Such member can be removed from membership through simple majority of members present in the meeting called through atleast five days advance written notice to the members. Removal may be permanent or temporary for a specific period.

**QUORUM OF MEETING :**

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For monthly and ordinary meetings-Simple Majority members and for emergent meeting members-60% of the total Members.

**MANAGEMENT OF FUNDS :**

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The Bar Association shall have account in a bank where the surplus funds shall be deposited. Regular accounts shall be maintained under the personal supervision of the President and true account shall be rendered on the expiry of the terms of office or resignation which ever is earlier on the date of handing over the charge.

**AUDIT OF ACCOUNTS :**

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The account shall be liable to be audited by a person/committee nominated by the House.

**LIBRARY :**

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The Vice President shall be the Incharge of Library. He shall keep the complete catalogue of the books and shall ensure the proper unkeep and custody of the Books. The Books shall be issued on payment of Rs:5/- for book per day. He shall keep a register and make entry and shall submit the account every month.

The President will have an absolute authority to engage any employee for the maintenance of the said Library. Remuneration of the said employee will be paid from the collection of the subscriptions funds. Any member who fails to pay the prescribed book fee and fails to return the book for seven days, shall be liable to appropriate action by the Bar.

**REMOVAL OF THE OFFICE BEARERS :**

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No office bearer shall be removed from the office on any ground unless a special meeting is convened within seven days advance notice with two-third majority provided there is a requisition signed by atleast 40% members of the association for the purpose.

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The office bearers against whom the requisition is received shall neither chair nor convene such meeting.

SECRETARY  
Sub-Divisional Bar  
Association ,Jaitu

VICE-PRESIDENT  
Sub-Divisional Bar  
Association ,Jaitu

*Sunil*  
PRESIDENT  
Sub-Divisional Bar  
Association ,Jaitu

Meeting of Bar Association convened for this purpose adopted unani-  
-mously be all the members on this 24th day of Sept, 1998.

ANNEXURE 'A'

MODE OF ELECTION/ELECTION RULES

1) Term of Office of President  
Vice President and Secretary  
and any other additional office.

1) Each one of them shall have the  
respective office for the term  
of one year from the date he  
enters upon the office with the  
right to resign and subject to  
passing of vote of .

NO CONFIDENCE.

2) The office bearers shall not-  
with-standing the expiration  
of their term continue to hold  
office uptill their successors  
enter upon their office.

2) Eligibility for Election.

1) Any member of the Sub-Divisional  
Bar Association Jaitu is not in  
arrears on the date of filing of  
Nomination paper can seek ele-  
-ction to any one of the office  
subject to qualifications men-  
-tioned here in above.

2) Each Nomination paper shall be  
duly signed by the candidate  
and proposed and seconded res-  
-pectively two members of the  
Sub-Divisional Bar Association,  
Jaitu Who have no outstanding  
arrears against them.

3) Each candidate shall have to  
depose the non-refundable Nomi-  
-nation Fee as mentioned to in  
the Election Notice.

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ELIGIBILITY OF VOTING .

Every member of the Sub-Div. Bar Association ~~Part B~~ who is not in arrears on as on the date fixed by Returning Officer shall be entitled to cast single man transferable vote for the election of each of the office bearers. The said members of the Bar Association shall also constitute Electoral College for the purpose here in after to be mentioned.

4) ELECTIONEERING .

Each candidate shall have the right to do canvassing in his/her support but the candidate shall not indulge in such activities which may be termed as corrupt practices.

5) CORRUPT PRACTICE .

The following activities by the candidate /their promoters and supporters will be treated as corrupt practice :-

- 1) Serving Drinks/refreshments to the voters on or before the election date, till the result are declared with the Bar Association and in the Court premises.
- 2) Making any cash payment to any voter or allurement of or promise to help in cash or kind so also to detrect any member from his/her rightful exercise of discretion as a voter.
- 3) Holding of parties/meeting at the Public places/hotels by the candidates/their supporters/their promoters in such a manner which will lower their estimation in the eyes of all concerned and public at large.
- 4) Indulging in any disorderly behaviour during the election process.
- 5) Exercise undue influence.

6) DISPOSAL OF COMPLAINTS .

Any complaint regarding the indulgence by any candidate him supporter/promoter in corrupt practices can be made by the candidate or any member/voter of the Sub-Divisional Bar Association. Jaitu in writing accompanied by Affidavit and by the Returning Officer himself suo moto and such complaints shall be decided by the electoral college referred to above the meeting of which shall be convened by the Returning Officer and his decision shall be final. On the failure of the Electoral College to arrive at such a conclusion /decision the

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Sub-Divisional Bar Association  
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Final verdict will be that of the Returning Officer. The Punishment may include disqualification from seeking election for a period upto three years.

**ELECTION PETITION :**

Any candidate/voter can file election petition within seven days from the date of election regarding the election of any officer bearer and such petition/petitions shall be decided in the manner prescribed for disposal of complaints.

**ELECTORAL COLLEGE :**

Only the members of the Electoral college shall have the right to vote/participate on the proceedings meant for disposal of complaints, election petitions and so conferences seeking meeting of the house to be held, if any during the term of office of office bearers.

**DISQUALIFICATIONS :**

Any candidate seeking election and found guilty of indulging in corrupt practice shall be disqualified to seek election and the same office shall be treated as vacant.

*Sunil*

Sub Divisional Officer  
JAITU. (FDK.)

Signature  
Att

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Member of the A

Identity card/If issued  
by Gazetted off