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**THE DISTRICT BAR ASSOCIATION**  
**BHATINDA**

We, the practising Advocates of Bhatinda, 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 District Bar Association Bhatinda' this 8th day of July, 1970.

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

**TITLE**

1. This Association shall be called 'The District Bar Association' Bhatinda.

**MEMBERSHIP**

2. Every practising Advocate at Bhatinda whose name and signature appears in Annexure 'A' or who signs on the annexure before 24-7-70 shall be deemed to have been duly admitted as member of this Association, provided that each such member puts in particulars in form Annexure 'B'

3. (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 cum proposal shall be in writing in form Annexure 'B' addressed to the Secretary and shall be signed by the applicant, his proposer and seconder.

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(ii) The Secretary shall, on deposit of written application put it up to the President as soon as practicable, but not later than a week from date of deposit of admission fee. In case, for reasons to be recorded, the President, refuses to admit, the Secretary shall put it up to 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 2/3rd of the members of the Executive Committee present and voting so decide.

(iv) If an applicant has 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 fee 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.

#### QUALIFICATIONS

4. An applicant to qualify for admission as a Member of this Association:—

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

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

#### ADMISSION FEES

5. The admission fee shall be Rs 100/- only.

#### MONTHLY SUBSCRIPTION

6. (i) A member shall pay Rs 7/- per mensem as subscription provided that if payment is made before 10th day of the month, subscription can be paid at the rate of Rs 5/- p m. Provided further that subscription for the month of Sept. shall be Rs. 5/- only and may be paid upto the 10th day of October following it.

(ii) Subscription shall be payable in advance on first of month for which it is due.

(iii) The rates of admission fee and monthly subscription

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can be altered by a Resolution of the General Body by not less than 1/2 of its members.

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

(v) If the defaulter fails to comply with the above notice even after expiry of 30 days from the receipt or 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. 75/- as penalty within a month of his ceasing to be a member, provided he also pays off all arrears of subscription and other charges.

#### PROPERTY OF THE ASSOCIATION

7. (i) All property, moveable or immovable, 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 (i) Register of Books, (ii) Register of other property (iii) 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 to or interest in the property of this Association.

#### EXECUTIVE COMMITTEE

8. (i) There shall be an Executive Committee of this Association, consisting of a President, a Vice President, a Secretary, a Joint Secretary and two members of this Association co-opted by the office bearers.

(ii) The Executive Committee shall be elected at 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) Should office of any member or members of the Executive Committee fall vacant during the course of the year of normal term, his or their place shall be filled up by election in a meeting of General Body.

**Provided that**

(i) On vacancy of the office of President, the Vice President shall act for him and,

(ii) On vacancy of any other office of the Executive Committee, a 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**

9. The Secretary shall at least two weeks before election of Executive Committee in Annual General Meeting, call a General Meeting of the Association at which he shall present a report on the work accounts, assets and property of the Association of the past year.

**DATE OF ELECTION OF EXECUTIVE COMMITTEE.**

10. Election of the office holders of the Executive Committee shall be held every year on 15th April or on such other date and at such hours as may be so fixed by the Bar Association at a General Meeting, but not later than 30 April.

(ii) In case the Executive Committee or its Office holders fail to hold election as provided in Article 10, the office holders shall cease to hold office on the 30th of April every year. In such an eventuality, the General Body of the Association, on a requisition by 30 members shall meet in the main Bar Room (Judicial Wing) in first week of May at 1 P. M. and elect an administrator by a simple majority of the Members present and voting. Such a meeting shall be presided over by a member of the Association whose name comes first alphabetically in English (Surname not to be taken into account for this purpose). Such elected administrator shall have powers—

(i) To take charge of the Association from outgoing Executive Committee.

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

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

**ELECTION PROCEDURE**

**RETURNING OFFICER**

12. 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 majority of members present and voting. Such meeting shall be held on a working day in the month of March Annually.

13. The returning officer shall not be eligible to be elected as Member of the Executive Committee.

14. 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.

15. 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 for vote. The list shall also specify the name of the returning officer who will deal with claims and objections under Article 17.

16. No person shall be eligible to vote from whom subscription for any month prior to the month in which the provisional list is published, is due.

17. Claims for inclusion in and objections for exclusion from list shall be filed within 2 days and shall be disposed of by the returning officer after hearing persons concerned.

18. 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.

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

20. The returning officer shall, along with the publication of the final list vide Article 18, by General Notice published as aforesaid

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on the main notice board, require eligible voters to nominate in writing separately officewise, a member of the Executive Committee, within 3 days of the requisition, on prescribed nomination form Annexure 'C' to be obtained from R.O. provided that the member to be nominated must also be an eligible voter.

21. Every nomination shall be duly proposed and seconded by member entitled to vote and accepted 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.

22. The returning officer shall thereafter within 24 hours notify in writing on the main notice board the names of duly nominated candidates 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 3 days of the publication of list of nominated members.

23. There shall be no election of members of the Executive Committee if the number of members so notified as duly nominated under Article 22 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.

24. On the date fixed under Article 10 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 Article 22 exceeds the number of persons to be elected or
- (b) If the number of persons notified as duly nominated under Article 22 and deemed elected Article 23 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 23.

25. The returning officer will Preside on the election meeting.

26. Voting in the election meeting will be by secret ballot.

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

#### QUORUM.

28. 4 members present at a meeting of the Executive Committee shall form a quorum.

29. At all general and special meetings of the District Bar Association not less than one fifth of the total members shall form 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 consider conduct of any member the quorum shall never be less than 1/3rd of the members.

30. A meeting adjourned otherwise than for want of quorum shall conform to the normal provision of quorum.

#### MEETINGS

31. All the meetings of 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.

32. Except, as otherwise provide in these Articles, all questions shall be decided by the majority of votes of members present at the meeting, and in case of equality of votes the Chairman shall have casting vote.

33. The Executive Committee shall hold its meetings after one day's notice to its members, provided that an urgent meeting may be summoned at 3 hour's notice. A meeting of the Executive Commi-

may be called at the instance of the Secretary or President.

34. It shall be lawful for the President or the Secretary to call a general meeting of the Association whenever he thinks it desirable after giving two days clear notice to the members present at a station except in case when business of a purely formal nature is to be immediately transacted, and in that case a shorter 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 main Bar-room. Provided that the business shall not be deemed to be of a formal nature if one fourth of members present object to its being of a formal nature.

35. The Executive Committee or any 20 members of the Association may require the President or Secretary to 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 meeting shall be given at least 3 clear days before the day of meeting and shall specify the matter to be discussed. On failure of the President and Secretary to call such a meeting the requisitioning members shall be competent to summon such a meeting by circulating notice to the members of the Association.

#### MINUTES ETC.

36. Minutes of the proceedings of the meeting of Executive Committee and of the general body shall be recorded in the particular book maintained by the Secretary. Such record, as also other records of the Association shall be open to inspection by the members at all convenient hours. Such minutes shall be got confirmed from the President/Chairman.

#### PROFESSIONAL MISCONDUCT

37. All questions affecting professional conduct of members towards the Bar Association or towards each other shall be dealt with:—

- (i) In case of a complaint against a member, by the Executive Committee.
- (ii) In case of a complaint 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 charge 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 inquire into the matter in accordance with the rules of natural justice and may 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 member to resign or
- (v) By expelling him from the Association.

Provided that the actions under (3) iv-v shall be subject to confirmation in a special meeting of the General Body.

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

(39) An appeal from an order of the Executive Committee or special Committee in an inquiry contemplated in Article 37 shall lie to the general body of the Association and shall be filed 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 Article 37 (3) iv & v.

#### FUNDS & BUDGET.

40. The funds of the Association shall be deposited with any scheduled Bank or Post Office, in the Savings account.

41. The account shall be operated by the Secretary or the President.

42. The Secretary shall be entitled to retain not more than Rs. 200/- as imprest money at a time.

43. 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.

44. The budget shall be presented to the general body by the Executive Committee with in 15 days of its election.

45. The General body of the Association at the meeting to elect returning officer, shall elect an Auditor from among members of the Association for checking of the accounts of the Association. The Auditor shall send his report to Executive committee on or before 15th March, and such report shall be placed before the General Meeting along with the budget.

46. The Executive Committee or the General body of the Association shall be competent to do or decide all incidental matters not specifically covered by these articles.

**REMOVAL OF OFFICE BEARERS**

47. Not less than 1/4 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.
- (c) In case it is against both the President & Vice President, to the Secretary.
- (d) In case of any other office bearer, to the President

48. A meeting of the General Body shall be called within 7 days of the receipt of such notice by the President or the Vice President or other members as the case may be.

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

50. All members of the Association shall take oath of allegiance in form Annexure D

**AMENDMENT**

51. Amendment of these articles can be made by not less than 1/2 of the members of the Association in a General meeting,

**ENFORCEMENT**

52. This Constitution will come into force on 1-8-70.

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

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

Provided that such rules shall be subject to confirmation by the general body in a general meeting,

**Members of Coustitution Committee**

Sant Ram Garg Advocate President	Sd./ S. S. Grewal Advocate Vice-President
D. Bar A. Bhatinda	D. B. A. Bhatinda
Sd./ Faqir Chand Bansal Advocate Secretary	Sd./ J. C. Malhotra Advocate
D. B. A. Bhatinda	Sd./ Faqir Chand Verma Advocate