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Memorandum

CAT Bar
Chq

MEMORANDUM OF ASSOCIATION

1. Name of the Society: CAT BAR ASSOCIATION,
SECTOR 17, CHANDIGARH
2. Location of Registered
Office of Society: CAT BUILDING, ADJOINING
PARADE GROUND, SECTOR 17,
CHANDIGARH
3. Area of operation: CHANDIGARH
4. Aims and objectives of the Society:

The Aims and Objects of the CAT Bar Association shall be:

- i) To implement the Rules framed by the Bar Council of India as well as Bar Council of Punjab & Haryana under the Advocates Act, 1961 in letter and spirit.
- ii) To act for the welfare of the members of the Association.
- iii) To undertake all such activities as are in the interest of the members of the association.
- iv) To generate funds for the fulfillment of the aims and objectives of the Association.
- v) To receive funds, subscription donations and grants etc. by lawful manner and to apply those funds for the welfare of the members of the Association.
- vi) To maintain cordial relations amongst the members of the Association.
- vii) To maintain the cordial relations between the Bench and the Bar.
- viii) To undertake such steps and plans and execute such schemes and projects may be in the interest of the members of the Association.
- ix) To approach the concerned authorities for providing better facilities to the members of the Association such as public health, parking of vehicles, canteen and mess facilities etc.
- x) To provide good quality and hygienic food, snacks etc. to the members of the Bar at reasonable rates.
- xi) To manage the property and funds of the Association in a proper manner.
- xii) To manage and run the canteens, and other activities of the Association.
- xiii) To organize recreational and cultural activities for the members of the Association.
- xiv) To look after, manage, supervise and control the affairs of the Association.
- xv) To employ persons or to execute contracts with contractors in order to provide better facilities to the members of the Association.
- xvi) To maintain the dignity of the Association.

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- xvii) To maintain and uphold the dignity of the Central Administrative Tribunal as an Institution.
 - xviii) To act for and in the direction of maintaining the independence of the Judiciary.

3. CONDITIONS

- a) The income and Property of the society shall be applied solely towards the promotion of the object of the society as set forth in the Memorandum of Association and no portion thereof shall be paid to or transferred directly or indirectly to the members of the society.
- b) No member of the Governing body of the society shall be appointed to any salaried office of the Association or any office of the Association paid by fees and no remuneration shall be given by the Association to any member of such governing body except repayment of out of pocket expenses & interest on money lent or rent for premises demised to the Association.
- c) The society/Association by its Constitution is required to apply its profits, if any, or the other income in promoting its objects.
- d) If upon the winding up or dissolution of the Association there remains / after satisfaction of all its debts and liabilities, any property whatsoever, it shall not be distributed among the members of the society, but shall be given or transferred to some other institution having objects similar to the objects of the society to be determined by the members of the society at or before the time of dissolution.

We, several persons, whose names and designations are under subscribed are desirous of being formed into a Society/Association in pursuance of the Memorandum of CAT BAR ASSOCIATION, SECTOR 17, CHANDIGARH.

CONSTITUTION
(Rules & Regulations)

1. INTRODUCTION

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- ii) To act for the welfare of the members of the Association.
- iii) To undertake all such activities as are in the interest of the members of the association.
- iv) To generate funds for the fulfillment of the aims and objectives of the Association.
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- xiv) To look after, manage, supervise and control the affairs of the Association.
- xv) To employ persons or to execute contract with contractors in order to provide better facilities to the members of the Association.
- xvi) To maintain the dignity of the advocates.
- xvii) To maintain and uphold the dignity of the Central Administrative Tribunal as an Institution.

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4.5) CONDITIONS

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We, several persons, whose names and designations are under subscribed are desirous of being formed into a Society/Association in pursuance of the Memorandum of CAT BAR ASSOCIATION, SECTOR 17, CHANDIGARH.

1. President
2. Vice President
3. Secretary
4. Joint Secretary
5. Treasurer
6. Senior Executive Members
7. Executive Members

2. TERMS OF ADMISSION OF MEMBERS:

- a) Every Advocate shall be admitted as Member in the Association on his application in the prescribed proforma duly recommended by one existing member of the Association and on payment of Rs. 250/- as admission fee.

OR as determined by General House from time to time alongwith monthly subscription for the month in which admission is sought.

(b) The monthly subscription for all Members shall be Rs. 50/- or such as may be determined by the General House from time to time. However any member desirous of paying annual subscription in advance shall be required to deposit Rs. 600/-.

c) The new members enrolled upto the last day of February shall be eligible to exercise his/their right to vote or contest in the annual general elections of the office bearers of the CAT Bar Association or propose or second a candidate to contest election.

F. CONSEQUENCES OF NON-PAYMENT OF SUBSCRIPTION FEE

[REDACTED]

4. FINE AND FOREFEITURE TO BE IMPOSED ON ANY MEMBER

Only members of the CAT Bar Association, Chandigarh who clear their subscription arrears upto date i.e. upto last day of February, shall have the right to vote or contest in the annual general elections of the office bearers of the CAT Bar Association or propose or second a candidate to contest election. In the event of non payment of subscription for three months or more in a calendar year preceding the cut off date i.e. last day of February every year, such defaulting member shall not be eligible/debarred to exercise his right to vote in the annual general elections of the office bearers of the Bar Association and would also stand disqualified to contest for any post of the office bearers of the Association.

5. CATEGORIES OF MEMBERS OF THE ASSOCIATION

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There shall be only one category of members of the Bar Association i.e. Ordinary members.

6. RESIGNATION & EXPULSION OF MEMBER/OFFICE BEARERS

The member/office bearer of the CAT Bar Association can be expelled from the membership/office bearer's post of the Association by the President only after the General Body/House meeting passes such expulsion with one third members present and voting but only those votes shall be considered for decision who are eligible to vote in the elections as per 3 & 4 mentioned above and such decision of the General House shall be final and binding. However, in the case of submission of resignation by a member of the Association, the same shall be put before the Executive Committee/Office Bearers of the CAT Bar Association by the Secretary and the Executive Committee shall then decide to accept or not to accept such resignation. The decision taken by the Executive Committee shall be final & binding.

7. FORMATION OF GENERAL BODY/HOUSE

The general body/House of the Association shall consist of :

1. Office Bearers of the Association
2. All/Any other member(s) who believes in the aims and objectives of the Association, has the membership of the CAT Bar Association and who is/are not in arrears of subscription for more than three months preceding the date of the sitting of the General Body/House.

8. POWERS AND FUNCTIONS OF GENERAL BODY

The General Body/House of the Members shall be the SUPREME AUTHORITY. The decision of the General Body shall be final. The powers and functions of the General Body/ House shall be as under :-

- a) Nominate an "Election Commissioner";
- b) Adopt and approve annual statement of accounts to be presented by the Executive Committee;
- c) Lay down any rules/guidelines which the Executive Committee should follow and act;
- d) Adopt its own procedure and give directions as it deems fit in conformity with aims and objectives of association;

e) Approve annual & audit report of the Secretary;

9. MEETING/QUORUM OF THE GENERAL BODY

A quorum of one third members on rolls or 30 members whichever is more, who are not in arrears of subscription for more than three months preceding the date of the sitting of the General Body/House, shall constitute quorum of the General Body/House meetings. However, if a meeting is adjourned for want of quorum, the proceedings held on the adjourned date shall be final & binding even if there is no requisite quorum on that date. There will normally be four General Body meetings in a year. Normally, meeting will be held after every three months.

10. FORMATION OF GOVERNING BODY

The Governing/Executive Body of the CAT Bar Association shall consist of the following:

- 1. President ✓
- 2. Vice President ✓
- 3. Secretary ✓
- 4. Joint Secretary ✓ (2)
- 5. Treasurer ✓
- 6. Senior Executive Members
- 7. Executive Members (2)

11. THE STRENGTH OF THE GOVERNING BODY INCLUDING DETAILS OF OFFICE BEARERS.

There shall be sixteen members in the Governing / Executive Body viz. President, Vice President, Secretary, Joint Secretary, Treasurer, Senior Executive Members, Executive Members. The details are given below :

1. President	One
2. Vice President	One
3. Secretary	One
4. Joint Secretary	Two
5. Treasurer	One
6. Senior Executive Members	Five
7. Executive Members	Five

12. MODE OF ELECTION OF THE GOVERNING BODY.

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The office bearers and other members of the Governing /Executive body shall be elected by secret ballot and will hold office for a period of one year or till the holding of next elections, whichever is earlier. Normally the tenure of Executive Committee shall start from the month of April each year. Election should preferably be completed by the last week of March each year.

Procedure for holding Annual Elections:

- a) The House in its annual general body meeting will nominate the Election Commissioner:
- b) The House will also decide the security amount for each candidate who wants to contest Elections. Security in respect of office of President, Vice President and Secretary shall be non-refundable. The amount of security for the post of President shall be Rs. 7500/-, Vice President Rs. 6000/-, Secretary Rs. 5000/-, Joint Secretary Rs. 3000/-, Treasurer Rs. 2000/-, Senior Executive member Rs. 2100/- and Rs. 1000/- for Executive Members. However it will be discretion of the General House to provide any security different than the above. The security of a candidate other than those mentioned above will be refunded provided he withdraws prior to the last date.
- c) The Election Commissioner will thereafter fix the dates for inviting nomination in writing withdrawals, security and polling if necessary, as mentioned in ~~the following~~. The polling shall take place by secret Ballot.
- d) Each Member shall be entitled to cast one vote for each office bearer and one vote for Executive Committee Member. Polling shall be held ~~at 3 PM~~.
- e) The result will be declared by the Election Commissioner under his own signatures. The outgoing Executive Committee shall render all assistance to the Election Commissioner.

ELECTION PROGRAMME

- a) Election programme shall duly notified by the Election Commissioner Elections shall be notified about two weeks prior to the date of polling. After nominations are invited a minimum of two days shall be granted for withdrawal.
- b) Nominations shall be scrutinized by the Election Commissioner and thereafter polling, if necessary, shall be held after a maximum of two weeks time.

- c) A candidate shall be proposed and seconded by one member each. One member can propose or second only one candidate for one post only.
- d) The subscription of each candidate and his/her proposer or seconder should be clear, otherwise such nomination shall be deemed to be invalid.

13. POWER AND FUNCTIONS OF THE GOVERNING BODY

The Governing/Executive Body shall be responsible for performing all the functions of the Society and to take all decision for the welfare of the Association/Society.

The President shall behave like the head of the family and shall claim all the responsibilities of the Association/Society, preside over all the meetings and shall enlighten with his advises from time to time. All other members of the Association/Society shall behave like a family and shall work for the welfare of the Society untiringly. They shall work/together as a team in obtaining the aims and objectives of the Association/Society. They shall abide by the Rules & Regulations of the Association / Society and follow all guidelines laid down for them. The betterment & welfare of the members of the Association/society, shall be the sole mission of the Association and each member shall work with full zeal and commitment and shall perform all the duties assigned to them from time to time. Apart from the above general functions, the other power & functions of the Governing/Executive Body shall be as under:

- a) Act in accordance with the guidelines of General Body;
- b) Adopt its own procedure to achieve the best possible results in conformity with Aims and Objectives of Association;
- c) All bills and payments exceeding Rs. 1000/- shall have to be approved by the Executive Committee.

14. MEETING/QUORUM AND NOTICE OF GOVERNING BODY

At least 1/3rd of the members must be present to complete the Quorum of the Governing Body. At least one week's notice shall be given before meeting. Meeting of the Governing/Executive Body will be at least once in three

months.

15. POWERS & DUTIES OF EACH OFFICE BEARER

1. **President:** He will be the Head of the Association and office Bearers will act in consultation with him. He will preside over all the meetings, sign Identity Cards or any other Certificates, the members may need. He will constitute Sub-Committees as may be necessary like library, Canteen, rules or General governance committees, on the advice of other office bearers/members. He will countersign all bills exceeding Rs. 501/-. In case of any emergency, he shall have every discretionary power to take any decision for the welfare of the Society.
2. **Vice President:** He will assist the President. In the absence of the President, the Vice President will use all the powers given to the President from time to time and perform & discharge his functions assigned to him.
3. **Secretary:** He will be the Chief Executive responsible to executive guidelines of the General Body and that of Executive Committee. He shall convene meetings of the General Body and of the Governing / Executive Committee with reasonable prior notice, write proceedings and also convene urgent meetings on requisition or otherwise for deciding urgent matters. He will sign all the communications made on behalf of the Association. He will sign all bills exceeding Rs. 201/- upto Rs. 500/-.
4. **Joint Secretary:** He will assist the Secretary. In the absence of the Secretary, the Joint Secretary will perform & discharge all his functions.
5. **Treasurer:** He will supervise maintenance of receipt books, cash books, Members' Register, Bills/Vouchers and get the annual accounts statements prepared and audited. He will present audited annual account to the General Body through the Secretary after approval by the Executive Committee. He will sign all the bills upto Rs. 200/-.
6. **Senior Executive Members:** They will be senior members of high repute and shall have the right to guide the Governing Body and give their valuable advice & suggestions for the welfare of the members of the

Association and in the day to day conduct and discharge of the functions by the Executive Committee members.

7. **Executive Members:** They will assist the Governing body in the performance & discharge of its functions and shall also undertake all such activities as are in the interest & for the welfare of the members of the association.

16. MANNER OF INVESTMENT OF THE FUNDS & KEEPING OF ACCOUNTS ETC.

The funds of the Association shall be kept in a nationalized Bank and the withdrawals from the Account as kept in the Bank shall be made only by cheque signed by any two of three functionaries' viz. Vice President, secretary or Treasurer. However, an amount upto Rs. 500/- at a time can be kept in cash outside the Bank Account to meet expenditure. The detailed Accounts will be maintained by the Bar Clerk under Supervision of the Treasurer.

There shall be an Auditor, who will be nominated by the Governing/executive Committee, preferably he should be a qualified Chartered Accountant and the accounts of the Association will be audited at the end of the financial year by him.

17. AMENDMENT OF THE CONSTITUTION / ALTERING & RESCINDING OF RULES & REGULATIONS OF SOCIETY

(As per provisions of Section 12 & 12-A of Society Registration Act, 1980).

Whenever it shall appears to the governing body of CAT Bar Association, that it is advisable to alter, extend, abridge or to amalgamate the Association either wholly or partially with any other Association, governing body under the signature of the President shall submit the proposition to the members of the Association and shall convene a special meeting for the consideration thereof according to the regulations of the Association, subject to the following conditions:

- a) No amendment shall be carried out which effects the basic character of the Rules;
- b) A proposal for amendment of any provision of the rules shall be put to the house only after it has been moved by atleast 10% of the enrolled members of the Association;
- c) On receipt of such a requisition, The Secretary of the Association shall arrange for holding a General Body meeting within a period of not more than 15 days;
- d) In the General House meeting amendment shall be deemed to have been carried out, if minimum 50% members of the

Association are present and the move is approved by 2/3rd majority of the members present;

- e) Thereafter, the rules shall be deemed to have been amended and the amendment so made shall be duly notified.

18. MANNER OF DISSOLUTION OF SOCIETY
 (As per provisions of Section 13 & 14 of Society Registration Act, 1980)

The CAT Bar Association can be dissolved by 2/3rd majority of the members of the Association. For the dissolution of the Association, one week's notice is required to be issued to all the members of the Association. In case of dissolution of the Association, all the assets of the Association will be handed over to any other Association whose aims and objectives are similar to the CAT Bar Association.

The manners of dissolution of the Society (As per provision of Section 13 & 14 of Society Registration Act, 1980)