

Constitution of "Batala Bar Association", Batala, District Gurdaspur.

1. The association shall be called the "Batala Bar Association" Batala, District Gurdaspur, hereinafter referred as "Association"

2. **MEMBERSHIP AND SUBSCRIPTION**

Every Advocate enrolled with the Bar Council of Punjab and Haryana or with any Indian Bar Council provided his roll has been transferred to the roll of Bar Council of Punjab and Haryana, shall be eligible for the membership of the Association.

FUNDS AND FINANCES

3. (a) Every candidate for the membership of the Association shall apply in writing to the Secretary of the Association and such application shall be proposed and seconded by two members of the Association, accompanied by the attested copy of the enrolment certificate from the Bar Council alongwith a deposit of Rs.500/- as admission fee together with one month's subscription fee of Rs.50/-.

4. Every member of the association shall pay a monthly subscription of Rs.50/- in advance on or before the 15th. of each month to the Financial Secretary of the Association against proper receipt (subject to change if any from time to time). A sum of Rs.5 per month shall be charged above the monthly subscription, if the subscription is not paid by 15th. of each month.

a) The monthly subscription shall be payable in advance. Any member from whom three or more than three months subscription is due shall be deemed to be in arrears and shall be duly notified by the Secretary of the association.



- b) A member of the Association who is in arrears of subscription for three months shall cease to be a member of the Association provided a week's notice is given to him to pay the arrears and even then he fails to pay the arrears of subscription, his name shall be struck off from the roll of the Association and an intimation shall be given to the Bar Council of Punjab and Haryana to that effect.
- c) Any member whose names has been so removed in default of payment of the arrears of subscription shall not be eligible for the membership of the Association unless he submits fresh application with the admission fee of Rs.500/- alongwith his arrears of subscription.
- d) The association shall open an account with a nationalized bank through the President and the Secretary of the association and the said account shall be jointly operated by both of them under the joint signature and non of them shall have a right to operate the said account individually.
- e) At the expiry of the term, the President/Financial Secretary shall render the accounts of the association in the meeting of the General house and shall hand over the balance amount if any to the Chairman appointed by the house to conduct the next election immediately after the election of the Chairman or if the office bearers are elected unanimously and without any election, to the next President and the Financial Secretary.
- f) All the office bearers who have accepted the donations by way of cheques/bank drafts or in cash on behalf of the association in the past shall disclosed all said donations before the general house



immediately after the new election. Any office bearers who has in his possession any funds of the association shall also hand over the same to the Financial Secretary of the association before the general house immediately after the new election is held. All such amount paid and disclosed by the office bearers of the previous Bar shall be deposited in the account to be open by the association as stated above. The association shall utilized the funds/deposits made in the said bank account of the association after taking the approval of the general house by seeking approval of the general house of the association with ½ majority.

- g) In case any office bearer having the funds/deposits/donations accepted by him on behalf of the association fails to render the accounts and hand over the balance as stated above, then in that case the general house can take disciplinary action as it deem fit against the erring office bearer.

ELECTION

5. The election of the President, Vice President, General Secretary, Joint Secretary and members of Executive Committee of the Association shall be held on or before 31 March of every year subject to change in the date of election as per instructions of the Bar Council, to be issued and in case the date fixed for the election is declared a holiday due to any reason, then the election shall be held on the following working day. The Executive Committee of the maximum 5 members shall be elected by the Association. In the absence of any election of the members of the Executive Committee, they shall be nominated by the president of the Association.



6. The term of the President, Vice President, Secretary, Joint Secretary, Financial Secretary and of members of the Executive Committee shall be for one year and none of the office bearers of the Association shall have a right to contest the election consecutively for a second year. All the Office bearers who are elected shall not contest for the same post in the election of the forthcoming year and they can contest an election only after a gap of one year for the same post. In case any such office bearer who files his nominations for the same post in an election for the immediate next election, his nomination papers shall be deemed to be rejected suo moto and he will be deemed to be disqualified in the said election.

7. The general house shall appoint a returning officer to conduct the election atleast 15 days prior to the date fixed for filing the nomination papers. The returning officer shall not be eligible to contest the election.

8. The nomination papers for the election of the office bearers shall be filed atleast 7 days before the election, with the returning officer at a time, place and date to be notified by the Returning Officer for this purpose alongwith fee as mentioned below:

- a) Nomination Fee for the office of President shall be Rs.1000/-, Vice President Rs.600/-, Secretary Rs.500/-, Joint Secretary Rs.300/-, Financial Secretary Rs.300/- and for the member of Executive Committee Rs.100/-. The nomination fee shall not be refunded after the date of withdrawals of nomination papers.
- b) Withdrawal from the election if any shall be made within three days of the filing of the last date of nomination papers.



- c) Each member shall have one vote and the election shall be by secret ballot. All practicing members of the association shall have a right to vote.
- d) The returning officer shall publish a list of voters i.e. the Advocates practicing at Batala courts as the members of the association, within three days of his appointment and he shall not include the names of the members who are in arrears of rent till 28th. February of the concerned year.
- e) The returning officer shall supervise the whole process of election.

9. The general house is however empowered to appoint a president, vice president, secretary, financial secretary, joint secretary and member of the executive committee unanimously for a period of one year, without holding an election, if the association so desires.

ANNUAL GENERAL AND OTHER MEETINGS.

10. An ordinary general meeting of the Association may be called at any time by the Secretary/President for the disposal of any business.

11. An extra ordinary meeting of the association shall be called by the Secretary/President forthwith on the requisition. Such a meeting shall also be called by the Secretary/President if he receives a requisition to that effect duly signed by at least 1/3rd. members of the Association, within 24 hours of the receipt of such requisition. In case the Secretary fails to call such a meeting duly requisition, the requisitionist shall have a right to call a meeting after a notice of three days.



12. Any urgent meeting of the Association may be called by the Secretary at any time on the orders of the President to that effect in writing.

12-A. The president or in his absence, Vice President or in the absence, the Secretary or in the absence of all of them, the members present can choose any member to act as Chairman of that meeting.

B. Every member shall have one vote on every motion made at any general meeting and all the motions shall in case of a division be determined by majority of votes, provided that no resolution relating to variations or additions or cancellation of any of the rules of this constitution or relating to the conduct or character of a member of the association shall be deemed to be carried unless $\frac{3}{4}$ of the members present shall vote for the same. In case of a division where voters for and against are equal, the president or in his absence Vice President shall have a casting vote.

C) $\frac{1}{2}$ of the members on the rolls of the Association shall constitute a quorum in a general meeting and for an urgent meeting no quorum shall be necessary.



13. Where any general meeting convened for any purpose has to be adjourned for lack of quorum and adjourned general meeting may be called by the Secretary after two clear days, or with the permission of the President or in his absence with the permission of Vice President may be convened even earlier.

14. Secretary shall record the minutes of the proceedings in the meeting and place the same on the notice board as early as possible. The minutes shall be signed by the Secretary and approved by the President/Chairman of the meeting.

15. The president of every general meeting shall have full authority to regulate the proceeding and maintain order there in such a manner as he may deem fit to the extent of expelling any rudy members from the meeting.

NO CONFIDENCE AND RESIGNATION.

16. Motion of non confidence against an office bearer shall be considered at an extra ordinary general meeting/specially convened for the purpose on the receipt of a requisition signed by the $\frac{1}{2}$ majority of the members on the rolls of the Association and if a motion is carried by $\frac{2}{3}^{\text{rd}}$ majority of the members, the office bearer concerned shall vacate the office and for the remaining term a new office bearer may be duly elected in his place as per rules. In case of the death of an office bearer the general house shall appoint a new of his bearer in his place with majority votes.



- (a) The president may resign by a writing under his hand addressed to the Vice President and any other office bearer may resign his office by writing under his hand addressed to the President.

ACTS OF INDISCIPLINE.

