

**The following Constitution was passed unanimously by  
The Bar Association JAGRAON**

1. The Association shall be called the Bar Association Jagraon here in after <sup>called</sup> "The Association"
2. The aims and objects of the Association shall be :-
  - a) to promote the administration of Law & Justice :
  - b) To maintain the dignity of the profession :
  - c) To protest, safe Guard and advance the rights, interests and privileges of the members. of the Legal profession in general & the members of Association in Particular.
  - d) To create sense of followship and corporate life among the members of the Association membership and subscription.
3. Every person entitled to practise the profession of Law shall be eligible for the membership of the association.
- 3-A There shall be the following categories of the members of the Bar Association, Jagraon
  - i. Active Member : Who do practice Law on Civil / Criminal / Revenue side in courts, at Jagraon
  - ii. Ordinary Member : Who don't Practice Law on Civil/Criminal/Revenue side in courts at Jagraon.
4. Every candidate for the membership of the Association shall apply in writing to the secretary of the association and such application shall be accompaneed by a deposit of Rs. 50/- as admission fee together with one months subseription
- 4-A Such application shall be considered by the President and approved if found proper
5. Every member of the Association shall pay monthly subscription of Rs. 50/- or such amount as may from time to time be fixed by the Association before the 15th of each month.
6. The monthly subscription shall payable in advance . Any member from whom 2 or more than 2 months subscription shall at any time be due shall for the pupose of these rules be deemed to be in arrears and such member shall be duly notified by the secretary.
7. If such member as has been reffered to in Rule No. 6, does not pay off the arrears within 15 days from the date of the notification made to him by the Secretary. the Secretary will report his name to the Executive Committee for action. The Executive Committee shall take such steps against the member, as it may deem fit even to the extent of removing his name from the roilps of the Association, not with standing any thing contained in the rules.
  - (a) A member who is in arrears of subscripton for more than 2 months Including the current month shall lose his right to use the library and Bar Room and other property of the Association till such time as he pays off his dues.



- b) any member who is in arrears of subscription for 3 months shall automatically cease to be a member of the Association and his name shall be reported to the District Judge, the High Court and the State Council. A demand notice to pay up the arrears and pointing out the consequences if payment there of is not made shall be given to the member concerned a fortnight before the expiry of the above mentioned period of 3 months. However a written request of the defaulting member made in the last week of the 3rd month, the executive committee may allow 15 days time to such member to pay off the arrears and in case of payment, he shall continue a member

A Member who is in arrears shall pay an additional fee of Rs. 5/- per month or part thereof for the period of arrears.

8. Any member whose name has been so removed shall not be eligible for the membership of the Association unless he submits fresh Application with the admission fee of Rs. 50/- plus all arrears.

#### OFFICE BEARERS

9. (a) The following shall be the office bearers of the Association :-

- i. President, who shall be of at least seven years standing in legal profession.
- ii. Vice President
- iii. Secretary - Cum - Cashier.

- (b) Executive Committee

The Executive committee of the Association shall consist of the office bearers and two other members to be elected by the association.

#### ELECTIONS

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- i) The elections of the office bearers, the members of the executive committee shall be held on 20th December, every Year and in case it is a holiday, then it shall be held on the next working day without any further notice.
- ii) The office bearers and member of the executive committee shall remain in office till the next general election.
- iii) The Nomination Papers for the office bearers the member of the executive committee be filled at least ten days before the election with the Secretary at the time and date to be notified for the purpose by him.

- (a) Nomination fee for the office of the President shall be Rs. 200/- for that of vice President, Secretary, it shall be Rs. 100/- each. For every other office the fee shall be Rs. 50/- The nomination fee shall not be refundable and shall form a part of the funds of the Association.

- (b) Withdrawals from election, if any shall be made within 3 days of the expiry of the period, fixed for filling of the nomination papers.

- (c) each member shall have one vote and the election shall be by secret ballot.

- (d) The Secretary shall publish a list of voters by 1st working day of December of every year

If shall not included such members as he in arrears on 1st December, pay up the arrears before publishing the voters List, their name shall be included in the list of voters.





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The President shall get displayed the final list of voters on the board of the Association on first working day of December.

- (e) Any vacancy among office bearers members of the Executive Committee be filled up by the election to be held as when necessary, but as early as possible.
- (f) The executive Committee may make subsidiary rules consistant with these rules for the conduct of election of the office bearers members of the Executive Committee.

#### MEETINGS

- 11. i) The annual General meetings of the Association shall be held on the last day of nominations for the office bearers members of the Executive . No, quorum shall be required for thi s meetings. The agenda shall be :-
  - (a) the passing of the Account & Balance Sheet.
  - (b) Election of an Auditor ammongest the members of the Association not being an office bearer or member of Executive Committee.
  - (c) Reading of the report by the Secretary.
  - (ii) An ordinary meeting of the Association may be called at any time by the Secretary in consultation with the President for the disposal of any business by giving one day Notice.
  - (iii) An extra ordinary meeting of the Association shall be called by the secretary forthwith on requisition of the of the President. Such meeting shall also be called by the Secretary forthwith if he recieves a requisition to that effect signed at least by 1/3 members of the Association within 24 hrs. of the receipt of such requisition.
  - (iv) An emergent meeting of the Association shall be called by the the Secretary at any time under orders ofthe President in writing.
- 12. The President or in his absence the vice President shall take the chair at all general meetings. In the absence of both , the members presents shall choose any one of them to act as Chairman of the meeting.
- 13. Every member shall have one vote on every motion made at general meeting and all motions shall in case of division be determined by majority votes provided that ; no resolution relating to varriation or addition to, or cancellat-ion of any of these rules or relating to the cuonduct of charactor of all expul-sion of any member shall be deemed to be carried unless not less 3/4th of the members present and majority ofthe members of the Association on roll shal vote for the same. In case of division where votes for and against are equal the chairman shall have a casting vote by show of hand.
- 14. One third of the members of the roll under cause 3(i) of the Association shall constitute quorum for the genesal meeting and for an adjourned meeting no quorum shall be necessary unless experisly required by any of the Rules.
- 15. Where any general meeting convened for any parpose has to be adjorned for lach of quorum and adjursd general meeting may be called by the Secretary after 2 clear days or with permission of the President or in his absence with the permission of the Vice President , It may be convined even earlier.



16. The Secretary shall record minutes of/all the proceeding held at every general meeting and the same shall be displayed on the notice board within a week of the meeting by the Secretary and signed by the Chairman of the meeting.
17. The Chairman of every general meeting shall have full authority to regular the preceding and maintain in order a manner deemed fit by him even to the extent of expelling any member from the meeting.
18. Where any member flouts the authority of the Chairman or does not otherwise keep order at any meeting, the Chairman may call his name and refer the matter to the Executive Committee within two days where upon the committee shall unanimously or in case of division by a majority of votes take such action as it may deem proper to the extent of removing his name from the rolls of members, notwithstanding anything contained in any order rule.

The division of the committee under this Rule shall be subject to confirmation by the General Body of the Association.

**19. PREDURE**

- (i) A resolution must be proposed by a member and seconded by another before it can be put in the meeting provided that a resolution moved by the Chairman need not be seconded.
- (ii) Member can propose an amendment to a duly moved resolution and if the amendment is accepted by the mover, by the amended resolution would go before the meeting. In other cases amendment, if any would be voted upon first i.e. before the original resolution.
- (iii) No resolution once duly moved i.e. proposed and seconded can be withdrawn without the permission of the house.
- (iv) The mover of the resolution shall have the right to speak first on his motion and after discussion shall have a right of reply.
- (v) A member can speak on resolution only once and for any further exposition permission of the Chair shall be required.
- (vi) Any member shall have the right at any time to raise a point of order. The member in possession of the house shall resume his seat when a point of order is raised.
- (vii) A member with the permission of the chairman may rise and speak to give a personal explanation.
- (viii) The Chair shall decide all points of order and his decision shall be final.
- (ix) A meeting shall be adjourned by the Chairman for want of quorum or if so desired by the majority of the members present, provided that a Chairman may adjourn a meeting at any time for reasons to be recorded by him.
- (x) Notice of an adjourned meeting which included meeting adjourned for want of quorum may be given by the Chairman at the spot and information thereof, shall as soon as possible thereafter be given only to the members who were not present in that meeting notice shall also be put upon the notice board as required by the rules provided that it shall be lawful for the resident to attend the adjourned meeting with notice.





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lawful for the President to after of adjourned meeting with notice to the members provided further that no quorum would be necessary for a meeting adjourned for want of quorum unless expressly provided by the rules.

- (xi) All matters regarding the procedure and proper conduct of a meeting not otherwise provided for shall be decided by the Chairman whose decision shall be final.
- (xii) A requisition shall become invalid if three signatures withdraw their consent and consequently the number of such requisition slots fall short of the required by the rules.
- (xiii) Notice of the meetings shall as far as possible be given to the members by circulating the same through peon and a copy thereof shall be pasted on the notice board which shall be considered sufficient compliance of the service of the notice on members.

Explanation members under clause 19 means member's enrolled under clause 3A (i)

## 20. MOTION OF NO CONFIDENCE

Motion of no Confidence against an office bearer shall be considered only at an extra ordinary general meeting specially convened for the purpose on the receipt of a requisition signed by the majority of the members on the rolls of the Association and if such motion is carried by 2/3rd majority of the members on roll under clause 3-A (i). The office bearer concerned shall, shall cease to hold the office and for the remaining term a new-office bearer may be duly elected in his place provided that no such resolution shall be considered in an adjourned meeting provided further that the office bearer concerned shall be immediately informed of such requisition and given full opportunity to explain his position in the meeting before votes are taken on the resolution.

## 21. RESIGNATION

The President may resign his office 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.

## POWER OF EXECUTIVE COMMITTEE

- 22. The affairs of the Association shall subject to these rules and general control of the members in general meeting be managed by the Executive Committee hereinafter called "The Committee"

- 23. In the case of casual vacancy in any office the committee may fill up the vacancy by appointing same one and the same shall be valid and shall hold till the vacancy is filled up by election.

- 24. All the members shall constitute a quorum at the meeting of the committee. Each member shall have one vote and the decision of the majority shall be deemed to be the decision of the Committee. In case of equal division of votes the Chairman of the meeting shall have a casting vote.

a) The President or in his absence the Vice President shall take the Chair at all general meetings. In the absence of both, the members present shall choose any one of them to act as Chairman of the meeting.

- 13. Every member shall have one vote on every motion made at general meeting and all motions shall in case of division be determined by majority votes



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provided that ; no resolution relating to the cuonduct and charactor of or expulsion of any member shall be deemed to be carried unless not less 3/4th of the members (entitled under clause 3A (i) present shall vote for same. In case of division where votes for and against equal the Chairman shall have a casting vote.

25. a) The committee may from time to time make subsidiary rules consistant with these rules for the regulation of its proceedings or the proceeding of all or of any of such committees appointed by it as well as for conducting the business of all the office holder of the association and the manner in which the Propesty, accounts and records of the Association are to be kept and may from time to time vary, add to, o cancel any rules so made.
- b) The Committee shall in addition to all other powers provided for it in these rules subject to the general control of the members in the general meetings have powers to :-
- (i) Maintain such establishments of clerks and servants for the association as to them may deem fit.
  - (ii) Appoint, Suspend or dismiss from their appointments any clerk or servants
  - (iii) Determine and regular the remuneration, duties and conditions of service of all such clerk or servants.
  - (iv) Spend such money for the purpose of the association as it may deem fit.
26. a) The committee may on any occasion appoint a sub committee for the disposal of any kind of business and may regulate the manner in which any sub committee shall discharge their functions.
27. Any sub committee so appointed shall submit its proceedings and report to the committee and the decision of the latter shall be final subject to the control of the members at general meeting.
28. The committee shall have full control over the finances of the Association subject to the control of the members in general meetings and subject to other provisions contained in these rules.
29. The Committee shall ordinary meet not less than once a mouth except in the month of vacation for the despatch of business and such meetings shall be called by the secretary himself under orders of the president or on the requisition of any three members of the committee. The minutes of the proceedings at such meeting of the committeee shall be recorded by the secretary and displayed on the notice board by him and signed by the Chairman of the meeting.

#### DUTIES of OFFICE BEARERS

#### 30. PRESIDENT :-

- i) To preside over all meetings of the association and executive committee and other committees of the association.
- ii) To work as the cheif executiveof the Association and such as such to see that all the resolutions, rules and regulations of the association are



effectively carried out .

- iii) To take all steps to up hold the dignity and prestige of the Association.
- iv) Generally to represent the association whenever required unless any other representative is elected by the Association.

### 31. VICE PRESIDENT

The vice President shall perform duties of the President in the latter's absence out of station or due to ill health.

### 32 THE SECRETARY - CUM - CASHIER

- i) The secretary of the association shall be responsible for the maintenance of Furniture, Books, Stationery & all other properties and cash and securities of the Association.
- ii) The secretary shall conduct all the correspondence under the supervision and guidance of the President.
- iii) The secretary shall duly maintain correctly and regularly the following registers
  1. A register of the books in the library showing value of each book. The additions made, books Cost, destroyed or sold and the like, It shall be placed before the committee at least once a year and a catalogue of the books of the library would be fixed at some conspicuous place in the Bar Room.
  2. Register of furniture and other Property of the Association its value, description etc.
  3. A minute books of the proceeding of all meetings.
  4. Two files containing copies of letters and letters received .
  5. A Subscription register.
  6. A book for the agenda of the meetings of the association.
  7. A peon Book
  8. Requisition and suggestion file.
  9. A Complaint File.
  10. Records of accounts.
- (iv) The secretary shall be empowered to expend the establishment charges without the previous sanction of the committee.
- (v) The Secretary shall be authorised to incur expenses to the extent of Rs. 200 a month on any head other than those mentioned in the proceeding sub rule without the sanction of the committee, And all items other than those mentioned in the proceeding sub rule involving an expense exceeding Rs. 200 shall be incurred only with the previous sanction of the committee, provided that the secretary may with the previous written permission of the President spend not more than Rs. 200/- in case of emergency.
- (vi) The clerks and the servants of the association shall be under the immediate supervision of the Secretary.
- (vii) It shall be duty of the secretary to superintend the management of the property of the Association. He shall be responsible to report any lapse on the part of any member of the staff or any damage to or loss of property to the committee.





viii) The secretary shall act as a treasure as well

ix) The Secretary shall be the coslodian of all money and securities of the Association and all sums due to the Association shall be payable to and recoverable by him.

x) The Secretary shall keep the money of the Association in such bank in such manner as the Committee may//from time to time direct and shall bring all moneys received into account immediately on the receipt thereof and be shall maintain a cash book of income and expenditure.

4. The Secretary shall grant receipt for all payments and shall properly and correctly maintain the subscription book.

5. All bills shall be passed by the President before payment is made by the Secretary and the latter shall obtain receipts of all the payments made by him and place them on record.

6. All money received shall be for with paid into the bank and shall be drawn there from only by mean of chques issued by the Secretary and the President.

7. The Secretary shall submit a quarterly report of the accounts to the committee.

#### 34. AUDITOR

1. the accounts of the Association shall be audited at lease once a year by an auditor elected under rule 11 and such auditor shall examine the entire accounts and shall have access of all vouchers.

2. The auditor shall submit the report within one month from the date of his appointment to the committee and the latter with its comments if any shall place it before the general meeting of the association.

#### 35. LIBRARY

The committee may from time to time make subsidiary rules consistant with the rules and may very add to or cancell any rule so made, partaining to the library established.

#### 36. CLERKS & SERVANTS

No member shall employ as a clerk or Munshi or other servant.

1. any person who has been declared a tout by any court or the committee.

2. Any Preelsing ising patton writer

3. More than two munshies.

4. Any person of disreputable charactor or who has been convicted of theft, criminal, miasppropriation, breach of trust of any other offence which in the opinion of the committee renders him unit to be employed by a legal practitioner.

5. Any person who has been declared by the committee not to be a fit person for such employment.

37. No person shall be eligible for employment as a lawer's Clerk unless he complies withthe rules made by the Punjab & Haryana High Court in that respect.

#### 38. PROFESSIONAL CONDUCT OF THE MEMBERS

No member shall recieve any brief or other observation take any case from or thrugh any prson whom he knows or belives to be a or tout or whose name is



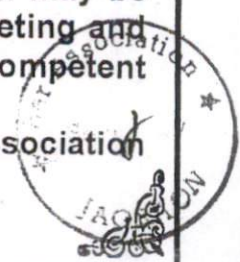


entered on the list of any court as a tout or on list of reputed touts kept by the committee through a practising petition writer.

39. No members of the Association shall undertake any professional work including offering of any opinion or writing notice without charging the minimum down by the committee from time to time.
40. No senior member shall appear conduct or act on behalf of his Client in any one of the following cases unless another court is engaged by his client :-
  - a.) all cases triable by the session court
  - b.) Money suits of the value of Rs. 20000/- or up wards and in all criminal cases which has been referred by the Punjab & Haryana High Court.
  - c.) In the case of default the member concerned shall be liable to pay Rs. 30/- to the Bar Association for each case which shall be recoverable as arrears of subscription.

#### EXPLANATION

- (a) Member with 10 year standing shall be deemed to be a senior.
41. Whenever any member (enexed under 3-A (i) feel that he has been insulted or sudely treated by any presiding officer of the court or any other official of the court, It shall be his duty to report in writing the matter at once to the secretary who shall call an emergent general meeting within three days from the receipt of such complaint for necessary action.
42. The committee by itself or through a sub committeee appointed by it shall have power either upon complaint or of its own motion to enquire into the conduct of any member (enexed under 3-A (i) his agent, clerk or Munshi so far as such conduct relates to any breach or juppooses breach of these rules or to the professional charactor or honour of any member and for the purposes of any such enquiry may do all acts and things which may be necessary or expedient to enable the committee to render such enquiry effective provided that it shall give a fair opperunity to the member, Clerk, Munshi or Clerk concerned to place his case before the committee period the committeeto its decision there on.
43. If after any such enquiry the committee may come to any conclusion against such member, agent, clerk or Munshi this committee shall submit its report to a general meeting for disposal.
44. The Secretary of the "Bar Association" the report to the Distt. Judge or any other competent court or authority then decision arrived at in all such cases.
45. A clerk who is not a member of the Local Clerk's Association shall not be engaged by any member of the Bar or any other local Lawyer.
46. If as a result of the aforesaid enquiry any member, agent, clerk or Munshi is found guilty of professional misconduct such member may be expelled from membership as provided in the rules & such agent Clerk or Munshi may be debarred from service by the Association passed in the general meeting and decision so made shall be reported the Distt. Judge or any other competent court or authority.
47. Any member whose name has been removed from the rools of the Association





- under any of the rules or who has been expelled under the proceeding rule shall cease to be a member of the association from such date and shall Forfeit all donations and subscription paid to the association and shall be held \_\_\_\_\_ of the Association or any other liability incurred under these rules.
48. Any member leaving practise or the station or who for any other reason has ceased to be a member shall at all times be liable to pay the arrears of the association or any other liability under these rules and can be \_\_\_\_\_ against in a court of law by the Secretary on behalf of the Association for recovery of such amounts if he is authorised by a special resolution of the committee.
  49. Unless otherwise provided in the rules an appeal shall lie to the general meeting from any order or decision of the committee affecting any member of his employee and every such appeal shall be in writing signed by such member and delivered to the secretary within one month of the knowledge or intimation of such order or decision.
  50. The Secretary shall without delay call a special general meeting for the purpose of disposing such appeal within one month from the date of appeal unless the appellant agrees to or desires a longer date and the decision of such meeting shall be final.
  51. All communications made to the committee under the proceeding rules shall be deemed to be privileged.
  52. Every special resolution varying adding to or cancelling any of these rules shall unless any time is specified therein take effect within 15 days after the passing thereof unless otherwise directed by the resolution.
  53. Members entitled alone can obtain copies of applications proceedings of the meetings, decision and orders of the committee and all other proceedings under the preceding rules duly attested by the Secretary at a cost of Rs. 3/- per copy of any one document or order etc.
  54. ACTS OF INDISCIPLINE  
Willful breach of the rules tempering with destroying and pilfering the property of the Bar use of abuse or force or to harass to any member by another member shall be considered as acts of indiscipline may be removed from the member of the Association by the executive committee subject to confirmation by the general body of the Association. These Rules shall come in to force immediately.
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Bar Association, Jagraon

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BAR ASSOCIATION  
JAGRAON  
Distt. Ludhiana

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