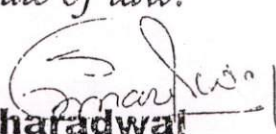


CONSTITUTION

DISTRICT BAR ASSOCIATION S.A.S. NAGAR

*For individual self respect,
dignified mutual co-existence, Supreme
Authority of the General House, WE
the Lawyers at District Court,
S.A.S.Nagar (Mohali), do hereby adopt
this Constitution on **31st day of
January 2007** to uphold the
authority and sanctity of rule of law.*


Satish Bharadwaj
Advocate

**CONSTITUTION DISTRICT BAR ASSOCIATION
S.A.S. NAGAR (MOHALI)**

1. SHORT TITLE: The Association may be called '**DISTRICT BAR ASSOCIATION, SAS NAGAR (MOHALI).**'"

2. AIMS AND OBJECTIVES OF THE ASSOCIATION.

- i) To safeguard and promote the interests, rights and status of the members of the District Bar Association.
- ii) To redress the legal and personal grievance of the members of the Bar and every efforts shall be made to solve the problem(s)/grievance(s) to the utmost capability of the Bar.
- iii) To provide proper facilities in furtherance of legal profession and for that purpose maintenance of its good library, have a respectable sitting place of the members and to provide Chambers for suitable working of offices of the members.
- iv) To create congenial atmosphere between the members and judicial officers with due respect to them.
- v) To help, assist and guide the new comers in order to stand on their own feet in the profession.
- vi) To help and assist the public to get justice from the Court.

3. MEMBERSHIP OF THE ASSOCIATION.

- i) An Advocate registered and borne on the rolls of the Bar Council of Punjab and Haryana may become a member of the Association.

4.Registration Membership Fee: An Advocate may become a member of the Association by applying in the prescribed form duly identified/recommended by two members of the Bar having more than 10 years standing as an Advocate to the President of the Bar Association alongwith the following fee:-

- ii) Registration Fee: Rs. 300/-
Subscription Fee: Rs. 300/- @ Rs. 50/- P.M for 6 months in advance.

In case he is holding membership of any other Bar or the Bar Association of the Punjab and Haryana High Court, shall have no right to vote in any manner if he is exercising his right to Vote in any other Bar.

5 A Bar Member is required to pay a subscription of Rs.50 /- per month by the 10th of each month. If a member fails to pay the

subscription by due date, he shall become a defaulter. In case a member remains defaulter for 3 consecutive months, the Executive Committee will send a notice to the defaulter member through UPC to clear the arrears of subscription within 15 days and also display the same on the Notice Board of the Bar. In case the arrears are not cleared within such period, the defaulter shall be liable to pay arrears of subscription with fine and expenses of notice within a further period of one month, failing which the said member shall be removed from the rolls of the Association. He/She can get his/her membership renewed by paying all the arrears, and fine alongwith 5 months subscription fee in advance.

6. It is the duty of the member to pay subscription regularly and the Executive Committee should make proper arrangement to ensure that the subscription is regularly paid by the member.

7. Any member found drunk or using any drug, intoxicant, or indulge in any activity prohibited by the Advocate Act in the Court's premises he/she will be liable to expulsion from the membership to be decided by the Executive Committee/Disciplinary Committee after affording him proper opportunity to defend. The oral evidence of the members of the Bar shall be sufficient to prove the guilt of the said member.

8. OFFICE BEARERS.

a) The Association may have the following Office Bearers, elected for one year, may hold office upto 31st December of every year or till the new Election is held.

- | | |
|----------------------|-------------------------------|
| i) President. | ii) Vice-President |
| ii) Secretary | iv) Joint Secretary |
| v) Treasurer/Cashier | vi) 10 Executive Body Members |

The post of President shall be held by a member for five times throughout his life, but he can contest only twice at a stretch.

The President shall preside over all the meetings and in his absence, the meeting shall be presided over by the Vice-President and if neither the President nor the Vice-President is present in any meeting, then the members present shall elect one out of them as a Chairman of the meeting.

9. The expenses shall be categorized in the following terms:-

- Recurring Expenses.
- Non-Recurring Expenses.

Recurring Expenses: The expenses which are required every month, such as, establishment, cause list, stationery.

Non-Recurring Expenses are those expenses which are not required every month and will include purchase of Library Books and furniture of the Bar, etc.

The expenses on establishment, such as, Salary, Electricity Bill, News Papers, Telephone Bills, etc. shall need no approval of the Financial Committee. The Executive Committee is competent to spend the actual amount without approval.

10. ANNUAL CONFERENCE, GENERAL BODY MEETINGS.

- i) Annual Conference: The Annual Conference shall be called in the first week of January every year.
- ii) General Body Meeting: The General Body Meeting shall be convened atleast once in every three month, or as often as necessary after due notice i.e. 2 days of the date thereof.
- iii) Requisitioned Meeting: The Secretary shall convene all meetings of the General Body or Working Committee as the case may be on the requisition being raised by atleast 75 members and $\frac{1}{2}$ of the Working Committee members stating clearly the subject to be discussed at the meeting within 24 hours from the receipt thereof. If the Secretary fails to convene
- iv) the requisition meeting, the first signatory of the requisition shall be competent to convene the meeting after giving due notice to the members. The meeting thus held shall be valid.
- v) Urgent Meeting Urgent Meeting can be called at any time to consider the problem(s) of extreme urgency by giving immediate notice of at-least $\frac{1}{2}$ hour.

11. DISCIPLINE AND PROCEDURE.

- a) No disciplinary action shall be taken against any office bearer or member of the Association except in accordance with the directions by the Executive Committee
- b) Any office bearer/member of the Executive Committee, member of the Association may be removed by passing a resolution with $\frac{2}{3}^{\text{rd}}$ majority of the member of General House in the meeting present and voting, with a notice of 15 days in advance.
- c) Legal Action: No member shall be permitted to seek legal remedy or protection in the court for any matter or dispute relating to Bar Association unless channel of representation to the Association is exhausted.

12. QUORAM

- a) The quorum of the annual conference shall be $\frac{1}{2}$ of the total strength of the membership or 100 which ever is less. For General Body Meeting: $\frac{1}{8}^{\text{th}}$ strength of the membership or

75 which ever is less and for Working Committee $\frac{1}{2}$ of the strength. In any case where vote for or against any motion are equal in Nos., the Chairman of the meeting shall have a right of casting vote.

- b) No quorum is necessary for a meeting which is adjourned for want of quorum either at the commencement or during the course but due notice shall be given thereof.

13. PROCESS OF ELECTION.

- i) A member shall file his nomination paper for the post to be contested in the prescribed form (to be obtained from the office of the District Bar) alongwith requisite security (non-refundable) as follows:
 - a) President: Rs. 2500/-
 - b) Vice President: Rs. 1500/-
 - c) Secretary Rs 1500/-
 - d) Joint Secretary: Rs 1000/-
 - e) Cashier: Rs. 1000/-
 - f) Executive Member: Rs.500/-
- ii)
- iii) The member shall file his nomination papers complete in all respect before the Returning Officer within such period as per schedule fixed by him. He shall scrutinize the form and then allow his candidature.
- iv) The member has option to withdraw his nomination as per schedule.
- v) The Returning Officer shall make all the arrangements for the election and the Executive Committee shall provide all the material and assistance for election
- vi) The Returning Officer shall declare the result of the election on the same day after counting of votes and counting shall be done as per schedule framed by the Returning Officer.
- vii) The entire functioning of the Bar Association shall be conducted by the Honorary Secretary in consultation with other office bearers, he will maintain every record and will be custodian of all records.

14. ELECTION

- i) The Election of the office bearers shall be held through secret ballot and the candidate receiving the highest number

of votes shall be declared ELECTED by the Returning Officer.

- ii) The Election shall be held on the date fixed by the Annual Conference in its meeting. Annual Conference shall appoint one Returning Officer and two Assistant Returning Officers to conduct the Election As per prevailing norms and convention.
- iii) The Elected office bearers will be required to take OATH that they shall honestly and as per this CONSTITUTION carry out
- iv) their responsibilities for their tenure and for that purpose the office bearers will maintain the record and every activity of the Bar Association shall be recorded in the minutes of the meetings of the Office Bearers.

15. INCOME EXPENSES AND POWERS.

Income of the Bar shall be by way of SUBSCRIPTION or INVESTMENTS, if any, made by the Bar Association. The entire receipt of the income by the Bar shall be through Payee's A/C cheques/drafts in the name of the Bar Association and shall be deposited in the Account maintained by the Bar Association in any Nationalized Bank near the District Courts Complex, Mohali.

16. EXPENSES AND POWERS TO WITHDRAW ANY AMOUNT:

The A/C maintained in the Bank by the Bar Association shall be operated by Joint Signatures of the Honorary Secretary and Cashier only and the expenditure beyond Rs. 500/- shall be approved by the Financial Committee.

The withdrawal beyond Rs. 500/- shall be approved by the Financial Committee, The Committee shall consist of 3 members of the Bar with practice of atleast 15 years and shall be nominated by the Annual Conference in its meeting. The said Committee shall keep a watch over all the expenses. In case of disagreement between Financial Committee and the Executive Committee, the matter shall be referred to the General House.

17. Executive Committee:

The Executive Committee shall consist of office Bearers and 10 Committee Members.

18. POWERS:

The Committee shall; finalize the Agenda of the Annual Conference of the General Body Meeting. The Secretary shall place before the Annual Conference, the Annual Report, Audit Report and Budget estimates for approval.

- i) The Executive Committee shall constitute/appoint the following Committees for the proper functioning of the Association:
 - a)✓ **Appointment Committee**
 - b)✓ **Purchase committee**
 - c)✓ **Expenditure and Budget Estimate Committee**
 - d)✓ **Disciplinary Committee.**
 - e)✓ **Business Committee.**

The President shall preside over meetings of first four Committees and the Secretary shall be the Chairman of the fifth Committee. All the Committees shall consist of three members which including President Chairman or Secretary: The Annual Conference shall be composed of regular members of the District Bar Association. He shall exercise all the powers of the Association. The Annual Conference shall elect office bearers of the Bar Association. And it shall nominate the members of the Financial Committee.

19. GENERAL BODY

General Body shall be composed of the members of the District Bar Association. It shall be a supreme body and shall exercise all powers.

20. PRESIDENT

The President shall preside over the meetings of the Executive Committee and General Body and shall exercise general supervision and control over the affairs of the Association.

21. VICE PRESIDENT.

The Vice-President shall exercise all the Powers of the President in his absence and if neither the President nor the Vice-President is present at any meeting, the members present shall elect one of the members to be Chairman of the meeting.

22. SECRETARY.

The Secretary shall be the custodian of the furniture, books, stationery and all other properties other than money. The Secretary shall be responsible to get the relevant registers complete in all respects.

- i) It shall be the duty of the Secretary to act under the directions of the President and control of the Committee.
- ii) That all correspondence of the Association shall ordinarily be issued under the signature of Secretary.
- iii) That the Secretary shall record all the proceedings of the Annual Conference, General Body Meeting, Working Committee Meetings, and other Committee Meetings, etc. in the Proceeding Book. He shall get it signed from the President of the Association. The minutes of the respective meetings shall be placed before the next General Body Meeting or Working Committee/Executive Committee Meetings for its approval.
- iv) The Secretary is responsible that the register and books of the A/C or any other register/book required for the functioning of the office are to be duly maintained in such form as the Committee may from time to time prescribe.

23. JOINT SECRETARY

The Joint Secretary shall perform the duties assigned to him by the Committee and he shall also assist the Secretary in day to-day working of the Association.

24. TREASURER/CASHIER.

The Treasurer/Cashier shall be the custodian of all money/funds and security of the Association. All sums due to the Association shall payable to and recoverable by the Treasurer/Cashier.

- i) The Treasurer/Cashier shall keep the money of the Association in the Nationalized Bank and shall bring all the money received into the A/C immediately on the receipt thereof.
- ii) The Secretary shall keep all record of payment and receipt in his personal custody alongwith all vouchers/bills
- iii) Permanent Advance:- An Imprest or permanent advance not exceeding Rs. 500/- shall be kept by the Treasurer/Cashier to meet contingent current expenditure and the Treasurer/Cashier shall check and regularize the Imprest

A/C atleast once in a month and note the facts on the account book. No expenditure shall be met from current receipt or otherwise provided in the Budget provisions.

25. AUDITOR

The Auditor shall examine the entire accounts of the Association and shall have access to the A/C and vouchers at all reasonable time throughout the year. He shall also check the revenue Accounts and Balance Sheets and countersign the same.

The Auditor shall submit his report before the Annual General Body Meeting with the Revenue A/C and Balance Sheet.

26. LIBRARY

The Bar Association shall maintain complete record of the books, which shall be handed over and taken over by out-going and incoming or the office bearer of the year. No book of Library shall be issued to any member. However, he shall be entitled to take photocopies of the judgment from Photo-stat machine which will be installed in the Library.

27. AMENDMENT

General Body is empowered to amend by way of addition variation or repeal any provision of this Constitution by passing a resolution with a 23rd majority of the members present and voting in the meeting

28. RE-ADMISSION

A member who signs or is expelled or re-terminated for want of non-payment of monthly subscription or any other reason may be re-admitted on his requested in writing to the President and it will be decided by the

General Body in the meeting by a resolution with simple majority. He will have to clear all the dues/arrears with fine upto date.

29. WELFARE SCHME:

The District Bar Association shall introduce Welfare Scheme for the benefit and welfare of the members and raise the funds for the purpose on the pattern adopted by Punjab and Haryana Bar Council and also frame Rules for the purpose.

27

30. SAVING CLAUASE

If there is any Constitution of the Bar that stand superceded by the Constitution.

DRAFTED BY

Gurdial Singh Satish Bharadwaj Paminder Singh Grewal
 Advocate Advocate Advocate

The General House of D B A SAS Napan has discussed the draft constitution and same has been passed / Accepted by General House by majority. It has been resolved by the General House to adopt and implement the constitution of D.B.A. SAS Napan with effect from today dated 31-01-2007.

Sl. No. Name & Sig of the Members

1. Jagtar Singh
2. S. K. VERMA
3. ~~Asaf~~ (ASAF KESER)
4. Bhaidwar (K. S. Bhaidwar)
5. ~~S. K.~~ Belwinder Singh
6. B. S. Sharma
7. B. K. Sharma
8. ~~S. K.~~ Harpreet S. Arora
9. B. S. Malhi

(MANPREET SINGH)

(HARPREET KAUR)

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14 SURJIT SINGH

Spring

15. M. Chaudhary



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B Prakash Chander

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(B.C. STAPPI)

③ Asphinder

② *[Signature]*

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