

## THE CONSTITUTION OF BAR ASSOCIATION GIDDERBAHA

We the practising Advocates of Gidderbaha 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 Bar Association Gidderbaha 1-1-2009

And in furtherance of this object hereby adopt and give ourselves the following constitution named constitution of Bar Association Gidderbaha.

### TITLE

1. This Association shall be called Bar Association of Gidderbaha

### MEMBER SHIP

2. Every practising Advocate at Gidderbaha shall be deemed to have been duly admitted as member of this Association, who has signed with resolution of Bar Association Gidderbaha.
- 3(i) A legal practitioner desirous of becoming a member of this Association shall, on depositing the admission fee of Rs.100/- be proposed by at least one member of this Association and seconded by another. Admission application cum proposal shall be in writing addressed to the President/Secretary shall be signed by the applicant, his proposes and seconded.
- (ii) 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 any delay. In case an applicant is not admitted, his admission fee shall be refunded by the Secretary.

### 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 Haryana and should not have been disqualified as such.

### Admission Fees

The admission fee shall be Rs. 100/-

### **Executive Committee**

- 5(i) There shall be an Executive Committee of this Association consisting of a President, a Vice President, Gen. Secretary, A Joint Secretary, Press Secretary, Cashier etc.
- (ii) The Executive Committee shall be elected at Annual General Meeting of this Association and shall hold the post until the next election. The election will be held in the month of Dec. every year.
- (iii) If office of any member or members of the Executive Committee fall vacant during the course of the year, 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.

### **Date of Election of Executive Committee**

- 6 Election of the office holders of the Executive Committee shall be held in month of Dec every year.

### **Returning Officer**

- 7 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 Nov.
- 8 The returning officer shall not be eligible to be elected as Member of the Executive Committee.
9. The returning officer so elected shall assume his office on this 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.
- 10 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 objection.



11. 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 entitled to vote.
12. The returning officer shall thereafter within 24 hours nobly 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.
13. On the date fixed for annual election of Executive Committee is adjourned by returning officer, the eligible voter's shall proceed to elect the members of Executive Committee.
14. The returning officer will preside on the election meeting.
15. Voting in the election meeting will be by secret ballot.
16. The election shall be direct. Each eligible voter shall have a right to a single non transferable vote.

#### **Quorum.**

17. 4 members present at a meeting of the Executive Committee shall form a quorum.

#### **Meetings**

18. All the meeting of Executive Committee and of the General body 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.
19. The Executive Committee shall hold its meeting after one day's notice to its provided that an urgent meeting may be summoned at an hour's notice. A meeting of the Executive Committee may be called at the instance of the Secretary or President.

#### **Professional Misconduct**

20. 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 and opportunity of hearing must be given in every case.
- (3) The Executive Committee or the special Committee shall inquire into the matter in accordance with the rules of naturajustice 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
21. In case of complaints by clients against the members of the Bar Association in respect of professional dealings, the President and Secretary shall be competent to enquire and see if any amicable solution can be effected.

#### **Removal of Office Bearers**

- 22 Not less than 1/4 members of the Association can be a petition in writing signed by them require the general body to removal any member or office bearer of the Executive Committee.
- Such Petition shall be presented.
- (a) In case 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 to Vice President, to the Secretary.
  - (d) In case of any other office bearer, to the President.
- 23 A meeting of the General body shall be called with 7 days of the receipt of such notice by the President or the Vice President or the members as the case may be.
- 24 Such Members can be removed by a Resolution passed in that meeting by not less than 2/3rd members of the Association.
- 25 All members of the Association shall take oath of allegiance.

