

# THE CONSTITUTION OF



THE BAR ASSOCIATION, NANGAL,  
DISTRICT- RUPNAGAR.

## PREAMBLE

WE THE MEMBERS OF THE BAR ASSOCIATION NANGAL, DISTRICT- RUPNAGAR ACCEPT, IMPLEMENT, AND PROMISED TO OBEY THE PROVISION OF THIS HON'BLE CONSTITUTION STRICTLY, AND FURTHER THE ALL MEMBERS ARE PROMISED TO MAINTAIN THE DIGNITY OF THIS NOBLE PROFESSION IN THE SOCIETY, AND ALSO PERFORM ALL THE MORAL AND OBLIGATORY DUTIES FOR THE WELFARE OF OUR ESTEEMED MEMBERS, AS WELL AS FOR THE SOCIETY TIME TO TIME. WE FURTHER COMMITTED TO PROMOTE THE BROTHERHOOD BETWEEN ALL THE MEMBERS OF THIS ASSOCIATION AND TREAT EACH OTHERS AS A MEMBER OF SAME FAMILY. WE FURTHER COMMITTED TO TREAT EVERY MEMBER OF THE ASSOCIATION ON EQUAL FOOTING, AND DOING OUR BEST EFFORT TO MAKE THIS ASSOCIATION TRANSPARENT IN REGARD TO ITS ALL AFFAIRS BETWEEN THE ALL THE MEMBERS. WE FURTHER COMMITTED TO MAINTAIN THE SECRECY OF THE MEETINGS, AND OTHER PARTICULARS WHICH ARE NECESSARY FOR THE WELFARE OF THIS ASSOCIATION.



**THE CONSTITUTION OF THE BAR ASSOCIATION NANGAL , DISTRICT-  
RUPNAGAR, PUNJAB.**

The name of the Association is and shall be 'THE BAR ASSOCIATION NANGAL, DISTRICT- RUPNAGAR. '.

The office of the Association is and shall be in the town of Nangal in the Association premises:

The expression 'ASSOCIATION' mentioned in this constitution shall mean "THE BAR ASSOCIATION NANGAL, DISTRICT- RUPNAGAR ".

**(CHAPTER I)**

**Definitions**

Dictionary When used in this Constitution the following terms shall have the following meanings unless the context or subject matter otherwise requires:

- 1.1 **Association** means The Bar Association Nangal, District- Rupnagar.
- 1.2 **Member** means a person whose name is entered in the enrollment Register of the association.
- 1.3 **Office** means the registered office for the time being of the Bar Association.
- 1.4 **Office Bearer** means a person holding the office of President, Vice-President, and Honorary Secretary, Joint secretary, and, Treasurer (Cashier).
- 1.5 **President means** the person for the time being holding that office in accordance with this Constitution.
- 1.6 **Secretary/Joint Secretary/ Cashier mean** the person appointed by the Bar Association under this Constitution.
- 1.7 **Returning Officer** means the person appointed by the Bar ASSOCIATION as the Returning Officer under this Constitution for conducting the elections of office bearers.
- 1.8 **Bar Association decision mean,** the decisions passed by 2/3 majority of total members of the association.

**(CHAPTER II)**

- 2.1 That this constitution is to be called "The constitution of the bar association, Nangal Township" Tehsil- Nangal, District- Rupnagar, Punjab.
- 2.2 That this constitution came into force immediately being passed by the general house meeting.
- 2.3 That this bar association to known with the name of "The Bar Association Nangal , District- Rupnagar". And hereinafter to be called as association in succeeding paragraphs.

**(CHAPTER III)**

**OBJECTS OF THE ASSOCIATION:-**

The object of the Association shall be as follows:-

- 3.1 To enroll the advocates in the association as a members, further collection the welfare funds, registration fees, membership fees, and other contributions, expenditures, for the welfare of the association.
- 3.2 That to maintain and manage the bank account in the name of BAR ASSOCIATION NANGAL, DISTRICT-RUPNAGAR.



- 3.3 That to protect and promote the interest of the members of the association, and making efforts to smoothening the relation between bench and bar.
- 3.4 That to maintain the register, records, and proceeding book of the association further to take over charge on books, building, furniture, and other properties which relates to the association.
- 3.5 That to maintain the directory, contacts, address of the members of the association with their photographs.
- 3.6 To manage and invest the funds of the Bar ASSOCIATION.
- 3.7 To provide for the election of its members who shall run the Bar ASSOCIATION.
- 3.8 To promote the interactions and bridge the gap between the bar and bench; Upholding the honour of the profession of law, Promoting the interests of its members and Doing all things necessary to benefit the members of the association.
- 3.9 The Bar Association Of Nangal can also constitute funds for the following purposes:
- a) To provide shelter, accommodation and comfort to its members;
  - b) to provide books of law to the members;
  - c) to provide News papers, Magazine and/or other periodicals which may give useful information to the members;
  - d) to further the interests of its members and the legal profession;
  - e) to raise funds for carrying out the object of the Association;
  - f) to do all other things which may be ancillary or conclusive to the attainment of the aforesaid object or any of them;
- 3.10 Giving financial assistance to organise welfare schemes for poor, disabled or other advocates,
- 3.11 The Bar ASSOCIATION can also receive grants, donations, and gifts for any of these purposes.
- 3.12 To manage and invest the funds of the Bar ASSOCIATION.
- 3.13 That to do everything which is necessary for the welfare of the association, and for the dignity of legal profession. And further help in the administration of justice in the society.
- 3.14 To safeguard the rights, privileges and interests of advocates. To manage and invest the funds of the Bar ASSOCIATION.
- 3.15 To provide for the election of its members who shall run the Bar association.
- 3.16 The Bar ASSOCIATION of NANGAL can also constitute funds for the following purposes:
- a) Giving financial assistance to organize welfare schemes for poor, disabled or other advocates,
  - b) Giving legal aid, and . Establishing law libraries.
  - c) The Bar ASSOCIATION can also receive grants, donations, and gifts for any of these purposes.
- 3.17 Association shall make a committee, which may or may not includes the executive members of the association, to build, erect, acquire or alter any buildings or chambers, for the objects of the Bar Association or its members. and Further to sell, lease, lend, improve, manage, mortgage, charge or otherwise deal with all or any part of the property of the Bar Association;
- 3.18 To assist members or ex-members of the Bar Association, or the spouses, widows, widowers, children or other dependents of such members or ex-members or of deceased members of the Bar Association who are in need and deserving of assistance, and to assist or promote or take over any organization having for its object financial assistance to such persons or any of them;

#### (CHAPTER IV)

### ELIGIBILITY, FEES, ENROLLMENT PROCEEDURE AND DISQUALIFICATION :-

#### Eligibility to be a member of the association:-

- 4.1. All persons who are law graduates and has enrolled at the bar council of Punjab and Haryana and practicing as advocates ordinarily in the Courts ( Civil



,Criminal, revenue, tribunals) of Nangal or who ordinarily attend such Courts to practice therein would be **eligible to be members** of this Association;

- 4.2 Every advocate who, is eligible must applying by application by annexed performa, in writing by signed it, and submitted the same to the enrollment committee, of the association, along with membership fees, for to be a member of the association, subject to fulfillment of following conditions.
- a) That the advocate must be applied with the relevant documents, i.e. Two passport size Photographs, Certificate of enrollment issued by the bar council Punjab and Haryana.
  - b) That the application (except the application of members who are present at the time of passing of this constitution) should be sponsored or seconded by, two members of the association.
  - c) That the advocate who has passed there examination for the degree of Law, in 2010 or later, should provide the passing certificate of practice issued by **All India Bar Examination**, along with the application.
  - d) That the application is accompanied by an affidavit which certifying the content of main application

#### **REGISTRATION AND MEMBERSHIP FEES:-**

- 4.3 That one time registration fees for the enrollment being a member of the association is Rupees 1000/- (One Thousand Only). and same is to be paid at the time of registration of membership.
- 4.4 That the membership fees is Rs-100 /-(One Hundred Only) per month, and same is paid monthly, by the all registered members of the association, on his own responsibility, to the cashier of the association, before 10<sup>th</sup> calendar day of every month.
- 4.5 If any member is failed to deposit the same then a grace period of twenty days has given to him/her to depositing the same, with fine of Rs-100. if the member thereafter failed to depositing the membership fees, then his membership deemed to be cancelled, and his/ her all rights toward the association deemed to be ceased.

And such member is required to be applying as a fresh, to be a member of the association with the new registration fees, and his seniority for the association rights and benefits, should be considered from the date of fresh registration.

**Note :-** A member who casting a vote in the election of the executive committee (except the members who are present at the time of passing of this constitution), should be enrolled before the period of six months, on the date of elections, otherwise the new member have no right to participating the elections.

#### **PROCEDURE FOR REGISTRATION:-**

- 4.6 That the application for the registration is submitted to the registration committee, which would be formed by the Bar association, which contains three members, and out of them one member has at least five year experience in the legal profession.
- 4.7 That the executive body of the association have no right to take the application directly from the candidate/ intended members. Further the registration committee is formed, renewed, or reconstruct by the general house meeting, time to time, for the welfare of the association.
- 4.8 That the registration committee after taking the application for registration, scrutinizing it with all relevant documents, and thereafter accept it or reject the same with reasons.
- 4.9 Any candidate who is aggrieved by the decision of the committee, will make an application to the executive body against the decision of the committee, and after that such application should be discussed in the general meeting of the association, and decision of the general house is final.

#### **SUSPENSION OR CESSATION OF MEMBERSHIP**



- 4.10 Suspension of Membership The membership of any member of the Association who takes up judicial service will, during the continuance of such service, be suspended and on the cessation of such service, such member will be entitled to be readmitted as a member without payment of any entrance fees provided however that such person is otherwise eligible for membership.
- 4.11 member shall cease to be a member of the Association when the member concerned:-
- (a) becomes of unsound mind;
  - (b) is convicted of an offence involving moral turpitude;
  - (c) is declared an insolvent or applies to be declared an insolvent;
  - (d) is unable to or ceases practice on the Original Side of the High Court;
  - (e) has been expelled by the association.
  - (g) voluntarily resigns (after paying all dues then outstanding)
- (f) by death, insanity, loss of necessary qualification of membership and by non-payment of the dues of the Association as laid down in the rules...

### **DISCIPLINARY PROCEEDINGS AGAINST MEMBERS**

- 4.12 Any member of the Association who misconducts himself on the premises of the Association or who has conducted himself in a manner unbecoming of an advocate or who has brought or is likely to bring the profession or the Association into disrepute shall be liable to be warned, reprimanded, suspended or expelled from the membership of the Association.
- 4.13 The Standing Committee may be formed by the association, or the president, shall give notice to the member concerned either suo motto or on receipt of a written complaint, by a member.
- 4.14 That The standing Committee or the president shall inquire into the complaint and for that reason shall frame charges, after giving notice to the member concerned and shall afford an opportunity of personal hearing to the member concerned if so requested. Then making a report on such complaint, and should be discussed in the urgent as well as any of meeting of association, and on said report may either reject the complaint or recommend that the member concerned be warned or reprimanded or suspended or expelled from membership of the Association. The decision of the 2/3 majority of total members is final.
- 4.15 The Standing Committee or president shall have the power to warn or reprimand or suspend or expel such member of the Association at least 2/3 majority of total members.
- 4.16 A member once expelled shall not be eligible to be considered again for membership of the Association.
- 4.17 **The Association shall have an Executive Committee/ with minimum 6(six) members and the following office bearers:-**
- a) A President;
  - b) A Vice President;
  - c) A Secretary;
  - d) A Cashier;
  - e) A Joint secretary;
  - f) A library incharge;

Or other executive members, if the general body of the association think necessary to appoint, their numbers and age also fixed by the general body.

- 4.18 **Qualification of office bearer of bar association.**



The qualification of the members for the elections of office bearer is as follow:-

- i) The **President** will be elected amongst ,who has been the members of the Association, and having minimum experience in the legal profession, not less than **7 (seven) years, which shall be reckoned** from the date of enrolment at Punjab And Haryana State Bar council,
- ii) The **Vice President** will be elected from amongst the members who has been the member of the Association, and having minimum experience in the legal profession, not less than **4(Four) years**.
- iii) The **Secretary** will be elected from amongst the members who has been the member of the Association, and having minimum experience in the legal profession, not less than **5(five) years**.
- iv) The **Joint Secretary / cashier/ library incharge** will be elected from amongst the members who have been the members of the Association, and having minimum experience in the legal profession, not less than **2(Two) years;**
- v) The **Office bearers and the Executive Committee members** shall administer & manage the affairs of the Association to achieve the aims & object of the Association & they shall be elected from amongst the members according to the Rules prescribed herein at the Annual General Meeting.

**Note :-**

The office bearers shall be appointed, only with the election process, by way of secret ballot papers.

- 4.18 The office bearer and the Executive Committee shall hold the **office of the Association for one Accounting Year, and Accounting year** of the Association shall commence on the next date of the results of the elections of office bearer.
- 4.19 Any person eligible for **membership** may apply in writing to the Secretary of the Association for admission to the membership of the Association.
- 4.20 The Secretary shall place the application within a reasonable time before the registration Committee , and such committee **may grant or refuse registration** with assigning the reasons.
- 4.21 When the registration Committee in its meeting **admits the applicant as a member**. The applicant shall be deemed to have acquired all the rights and privileges obligations and responsibilities of a member of the Association.
- 4.22 The subscription for the members shall be Rs. 100/- per month shall payable every month on or before the end of the month. The Association may increase or reduce the subscription from time to time.
- 4.23 That at the time of enrollment the applicant shall be required to pay Registration fees of Rs. 1,000/- (Rupees one thousand only) ,together with subscription for the month in which he seeks admission.
- 4.24 Every monetary bill above the amount of 1000, shall be discussed and passed in the extra ordinary general body meeting, for the welfare of the bar association.
- 4.25 That there shall be constitute library committee consisting of five members, which may or may not includes office bearer, but must contain at least three independed members, who are not in the post of office bearer, of the association, to purchase the books, furniture, other items for the welfare of the bar association.
- 4.26 **Cessation on the designation of office bearer;**-

That the elected office bearer shall cease to the designation on following grounds:-

1. Resignation from the post.
2. Inability to perform the duties,
3. Disqualify by any valid reason to hold the office,
4. on death of the office bearer,
5. Removal by no confidence motion which shall be passed at least 2/3 majority of the total members of the association.



#### 4.27 Powers to spend:-

The president and secretary shall be authorized to spend a sum of one thousand jointly,

Expenses above the limits of 1000 (one thousand) shall have to be got sanctioned in the extra ordinary general meetings of the association, and such funds shall be spent strictly for the benefits of the association.

The funds of the association shall be raised in the following ways:-

1. Monthly subscription.
2. Special contributions in case of special necessities,
3. donations from individuals,
4. registration and membership fees,
5. Security deposits of election candidates,
6. Stamps of the association on vakaltnamas,

### (CHAPTER V)

#### Audit committee :-

- 5.1 The audit committee shall be formed by the association, which contain at least three members, who are other than the office bearers, within five days from the result election of office bearers of the association for following purposes:-
- 5.2 To inspect the accounts, inspect the vouchers, inspect bills of expenditure, bank statements, balance sheets, inspect the income and expenditure, inspecting the books stock,
- 5.3 That on completion of audit, make a written report and countersign the same by all members of the committee, and handover the same to the newly elected executive body after proper receiving from all office bearer, before taking the charge by the newly elected executive body of office bearers of the association.
- 5.4 Provided if any infirmity is found at the time of audit then the concerned responsible person is liable for the loss, and the loss is recovered from him/her, as a manner which this association thinks fits, otherwise an action will have been taken against him/her as per the penal provision of this constitution.
- 5.5 The auditor appointed by the Executive Committee shall **audit the accounts** and submit the audited accounts together with the report at least **7 days before** the holding of the Annual General Meeting.
- 5.6 The audited Accounts, Auditor's report shall be kept open for **inspection of the members** at least 3 days before the date of the Annual General Meeting.

### (CHAPTER VI)

#### Rights and duties of the members

- 6.1 A member of the Association shall have the following **rights & obligations**:
  - a) To elect and to be elected in any election of the Association;
  - b) No member shall employ any manner, any person, who has been declare undesirable by the association.
  - c) All the members are bound to implicitly and obey the rules and resolution of the association, any infringement on which, if brought to the notice of the association, shall be put by any member or executive body, in a in a meeting of governing body, and the guilty member shall be liable to pay fine, penalty, which may imposed upon him in such meeting.
  - d) No member shall give or extend in any manner accommodate in professional work, any person, whose name is struck off the roles of the association, This treatment shall also apply to the case of a non-member, who does not take earliest opportunity of applying for membership of the association.
  - e) To pay his subscription within the prescribed time;
  - f) To participate in all the efforts of the Association;
  - g) To attend all the general meetings of the Association;
  - h) To uphold the ethical principles of the Profession;
  - i) To use & enjoy the library of the Association subject to the rules of the Association;



- j) A member who has defaulted to clear up his monthly subscription upto date that is upto the end of the month proceeding, the month during which the election is held shall not have the right to vote or to participate in the Annual General Meeting.
- k) .
- l) All the members of the association have preferential rights on the chambers which will be construct in future, according to their seniority,  
the seniority is commenced from the date of registration at Bar Association Nangal, according to the date of registration, as well as the registration number .  
if a number of members are registered on same date then the seniority shall be commenced from the date of enrollment at concerned state bar council. i.e. Bar Council of Punjab And Haryana.  
If the dispute of seniority is not settled thereafter, then the seniority should be counted from the date of birth of the members.

## 6.2 The President:

The President shall over all the meetings and functions for the Association & of the Executive Committee and advice on all important matters. He shall have the general power of supervision and control over all matters of the Association and act accordingly.

## 6.3 Vice President:

The vice president shall preside over all the meetings of the Association & Executive Committee in the absence of the President & shall aid the President in the discharge of the responsibilities.

## 6.4 The Secretary:

The Secretary shall-

- a) Convene all the meeting of the Executive Committee & the Association in consultation with the President
- b) Maintain minute books of all meetings;
- c) Sign all papers on behalf of the Association;
- d) Issue notice, circulars, letters etc. to members and / others;
- e) Appoint, dismiss discharge clerks, servants and other employees subject for the approval of the Executive Committee in a meeting;
- f) Suspend, grant, leave to, employees with or without pay and to make necessary arrangement for filling up the vacancies in consultation with the President;
- g) Order payment of bills not exceeding Rs.1000/-;
- h) Transact all other business subject to the direction or approval of the Executive Committee;
- i) A register of the furniture and other properties of the association, and ledger, cash book of the income and expenditure with detail, of the association, should be kept by the secretary in proper mannner.
- j) Arrange printing or forms and to issue necessary order therefore;
- k) Keep the maintain stock registers of forms;
- l) Collect the subscriptions and deposit money in the bank of Postal Savings Bank & shall keep and maintain cash books, account books, vouchers, cash memos and all other accounts;
- m) Shall ordinarily act in all matters relating to the Association.
- n) Shall the custodian of the all registers, resolutions, which relates to the association.

## 6.5 Joint Secretaries:

They shall aid the Secretaries in the discharge of his responsibilities and in the absence of the Secretary.

## 6.6 Cashier/ Treasurer



The treasurer shall be incharge of the money accounts, Received fees, funds, Donations or other monetary things, of the association and work under the supervision of the executive committee, he/she shall maintaining the records of all transactions in the account , and expenses of the association. And his shall associate signatory along with the president and the secretary to withdraw the funds from the banks, post offices, or any financial institution, where the account of the association has running.

#### 6.6 Librarian:

The Librarian shall be responsible for the proper upkeep of the Association Library and shall maintain an up-to-date catalogue of all books and journals with their value. He shall with the approval of Secretary and the President Place order for purchase of books.

- a) **Books** may be issued to a member of the Association on signing his name in the appropriate Register maintained for the purpose. In case of loss of any such book / books or journal / journals the member concerned shall replace the book / journal. In case such book or books or journal / journals is/ are not replaced the member concerned shall pay double the price of such book or journal lost. No text book or A.I.R. Manual shall be issued to any member without the prior special permission in writing of the President.
- b) No member shall retain a **Text book** of the Association more than one day and journal for five days, in default of which such member shall have to pay lending charge @ Re. 1/- (Rupee one) only per day for retention of each such book beyond the stipulated period.
- c) The mode of decision in the meeting shall be by rising of hands but in important matters as may be decided in the meeting the President of the meeting may take votes by Secret Ballot. The election of the Office bearers and of the Executive Committee members shall be by Secret Ballot.

6.7 Any **temporary vacancy** in the Association's Executive Committee including Office bearers shall be filled in by the Association by holding election provided such vacancy does not occur within three months immediately preceding the expiration of the term of the Executive Committee.

6.8 The **funds of the association** shall be kept in deposit with the State Bank of India, Branch Government, S.s school Boys, at Nangal or with any nationalized bank in the name of the Association and shall be operated by the President and the Secretary and cashier jointly. The funds of the association may be invested in securities if it is considered to be profitable.

#### Registers

6.8 A register of members must include the members name , Photograph , contact no, and address and the date on which the entry of the member's name in the register is made. An up to date index of members' names must also be kept.

6.9 The register must also show the details of each person who stopped being a member within the last 7 years and the date on which they stopped being a member.

6.10 The Register shall be kept in electronic and physical form which is transparent and accessible to all of the members.

6.11 A person whose name was on the Register as at the date of the adoption of this Constitution is a Member. The book, document or electronic format in which the Members were recorded immediately prior to the date of this Constitution shall become the Register.

6.12 The all record/ registers shall be kept in the sole custody of the secretary, and he will responsible for any loss of the such record, and will be fined, warned, terminate, expelled, or implicating in criminal and civil proceedings, if he will making any



tempering, loss, forgery, with dishonest intention, in such record/ register. An amendment will be made in the record with the recommendation of the general house, The decision of the general house is final in this regard.

## (CHAPTER VII)

### MEETINGS

#### 7.1 The association will hold the following meetings:-

1. Annual General Meeting,
2. Ordinary general meeting.
3. Special general meeting.
4. **Executive Committee meetings.**
5. **Extra ordinary general meeting.**
6. **Emergent meeting of the Executive Committee.**

7.2 The Association shall hold an **Annual General Meeting** at least once in a year. The Annual General Meeting of the Association will be held within 31<sup>st</sup> day of March every Accounting Year or it shall be held before the elections of the office bearers. If the Annual General Meeting as aforesaid cannot be held for any unavoidable circumstances within the period as stipulated above, then the said Annual General Meeting shall be held within 20 days after the expiry of that stipulated period.

15(fifteen) days clear notice specifying the time, place and hour together with a list of business to be transacted shall be issued by the Secretary, and same is circulated among the members by affixing it on the notice board of the association, and further also circulate it in electronic form in the group of members.

#### 7.3 The **business to be transacted at the Annual General Meeting** shall be:

- a) To adopt with or without modification the report of the Secretary for the previous year ended;
- b) to taking the records from the office bearers, for the purpose of audited of accounts for the previous year;
- c) to elect office- bearers and Executive Committee members for the new term;
- d) to adopt or modify the constitution of the Association;
- e) or to frame any bye -laws.

7.4 . There shall be **Ordinary General Meeting** of the Association twice in a year on the date and time to be specified by the Executive Committee giving seven days time.

The Secretary shall arrange for the circulation of the notice of such ordinary General Meeting within the Association rooms and the copies of such notice shall be displayed in the Notice Board of the rooms of the Association. and further also circulate the notice in electronic form in the group of members.

In the ordinary General Meeting the following **agenda** shall be discussed:

- a) to consider the report of the Secretary,
- b) to consider the acts done by the Executive Committee upto the date of such ordinary General Meeting.

#### 7.5 **Special General Meeting:-**

A special General Meeting shall be convened by the secretary if two- third members of the Association requisition such meeting specifying the nature of business to be transacted at the meeting. On receipt of such notice the Secretary shall hold such meeting within 21 days. In default by the Secretary, the requisitions



shall hold such meeting provided no business other than the one specified in the notice shall be transacted.

The Executive Committee in case of necessity may convene Special General Meeting to discuss any matter giving at least 3 days time.

7.6 In **Executive Committee meetings** at least two day's notice shall be given specifying the place, date, hour, and agenda of the meeting.

7.7 The **Extra ordinary general meeting** would be called for the matters relating to budget and expenditure, and 5 days prior notice shall be given specifying the place, date, hour, and agenda of the meeting.

7.8 In case of emergent matters, **Emergent meeting of the executive committee**, may be called on two hours notice.

7.9 Presence of one fifth members of the Association shall form a **quorum** for the 'Annual General Meetings', 'Ordinary General Meeting' and 'Special General Meetings'.

If there is no quorum within thirty minutes of the time specified in the notice. The members present may adjourn the meeting and fix the venue and another date and time of the meeting and no notice for such meeting will be necessary. In the adjourned meeting also if the quorum is not formed the members present may meet and transact the business specified in such notice.

7.10 the President or in his absence the vice President shall **preside over** all meetings including the Annual General Meeting of the Association and in the absence of both of them the members present shall elect a member from amongst themselves to preside over such meeting.

**PROVIDED** that if the President or the Vice President offer himself as candidate for any of the post of office bearers or as Executive Committee members none of them shall preside over such Annual General Meeting.

7.11 All questions before any meeting will be decided by **majority of Votes**, each member having one Vote. The president shall have a second or a casting vote in addition to his own vote in case of equality of votes.

7.12 All **resolutions of the meeting** shall be recorded in the minute book which shall be signed by the President and secretary of the association.

7.13 All the members of the Association shall use Vokalatnama, printed and sold by the Association. The Association shall fix the **prices of such forms** from time to time.

7.14 Whenever any matter concerning the **conduct of any member** is brought to or comes to the notice of the Secretary or the President of the Association. He may if he thinks fit call for an explanation from such member and will place the matter before the association in a meeting.

7.15 If the conduct of any member is considered to be **improper or against the professional ethics or against the interest of the Bar Association** by the Executive Committee which in the opinion may or is likely to bring the Association into disrepute the matter shall be placed to the general body of the Association by the Executive Committee with its recommendation.

7.16 Whenever any matter is referred to the General Body of the Association, it shall after hearing the member concerned, if he desires to be heard, at a meeting convened for the purpose, deal with the matter, According to the provisions of the Constitution.

**PROVIDED** that no member shall be expelled from the Association unless 2/3<sup>rd</sup> of the members of the Association present in such meeting vote for such expulsion.



**(CHAPTER VIII)****8.1 ELECTION RULES**

- a) For the purpose of election an Election Committee shall be constituted by the Executive Committee consisting of three members from amongst the members of the Association who shall not be intending candidates for any post in the election. One of the members of said committee shall be appointed as the returning officer and other two members are assisting the returning officer of the said Committee for conducting the elections. Provided that the assistant members also having right to vote like other members.  
The election committee shall cease to exist after the election is over.
- b) The Secretary of the Association will give notice of election at least 15 (fifteen) days before the date of holding election mentioning the date, time & venue of the election and also notifying the dates of filling of nomination papers, scrutiny of nomination papers and withdrawal of nomination papers.
- c) All the intending candidates must submit their nomination application in prescribed format only, which must be proposed and seconded by two members of the association, and duly submitted, to the Election Sub-Committee. The application must be accompanied by receipt of deposited amount of nomination fees as follow.  
President:-Rs- 2000,(Two thousand only)  
Secretary Rs- 1000 (One thousand only)  
and Rs- 500 for the other posts of the executive body.  
Further provided that the nomination fees is non refundable in nature, in case of withdrawal or cancellation of nomination papers.
- d) The Election Committee will make scrutiny of the nomination papers in presence of the candidates who filed their nomination papers and if any mistakes/ error in essential particulars is detected in the nomination papers then that will be treated as cancelled and the decision of the Election Sub-Committee shall be final and binding.
- e) The election committee circulates their names along with the notice of meetings.
- f) If no nomination paper is submitted for any post or posts or the nomination paper for any post is cancelled within the time as aforesaid there will be a fresh election with a fresh notice for such post or posts and until re- election the existing committee will continue of function.
- g) The members of the Executive Committee will have the right to modify, alter the aforesaid Election Rules, if necessary subject to approval of the general body in the meeting.
- h) No civil court would have jurisdiction to entertain any dispute with the regard to the elections of the bar association.

**8.2 VOTERS**

1. Members who have cleared off all monthly subscription & other dues if any in and upto the month preceding the month of election shall be enrolled as Voters.
2. A voter shall be enrolled to contest for one post only.
3. all eligible members will be entitled to contest for the post office bearers as well as for the post of Executive Body members.
4. There will be two sets of ballot papers – one for the post of office bearers & the other for the membership of the Executive Committee.
5. Members, who have not compelled with the terms and condition as specifically provided in the constitution, shall not be eligible as voters.
6. Executive Committee shall prepare the voter list before publication of notice of the Annual General Meeting of the Association after observing all the provision of the constitution and the Election rules.



7. The members shall have to return the books taken from the library within 7 days from the date of notice and clear off all dues (subject to the provisions of monthly membership fees) inclusive fine if any imposed for not returning the book in time as provided in the constitution, in default of which they shall not be eligible as voters.

### 8.3 METHOD OF RECORDING OF THE VOTES:-

The voting shall be recorded by way of secret ballot paper system, and all the expenses mention by the election committee, in making arrangements for successfully holding the elections, shall be charged from the funds of the association.

That the after the completion of the polling on the day on which polling is to take place according to time fixed by election committee, the returning officer and other two committee members, shall open the ballot box and count the valid votes, and recorded the same for each candidate, and will reject the invalid votes on following grounds:-

- a) Has not on it official mark,
  - b) If there is unable to certain that to whom, the voter intended the vote,
  - c) Bear the mark on the ballot, by which the voter to be identified.
- If the election is tie between the desiring candidates, for the reason of equal votes on each of the candidate, then the returning officer shall decide the election by casting his vote.

### 8.4 Duties of the office bearer of bar association

The office of the bar association shall maintain proper list of membership, voter list, register of the association, resolutions, and transparency of the account of the bar association.

That the account of the bar association shall be displayed on the notice board every year or before 30 october.

## (CHAPTER IX)

### 9.1 AMENDMENT, ALTERATION OF THE CONSTITUTION.

Save as expressly provided herein, these Rules of the constitution shall not be amended or altered except by a resolution passed at a General Meeting specially called for that purpose, by at least three fourth majority of the total members of the association, who should present and voting at the meeting. The quorum for such a meeting shall be 3/4 of total members. If there is no quorum within ten minutes of the scheduled start of the meeting, the meeting shall stand dissolved for next date. And at least 10 days' prior notice of such meeting shall be given to all members.

**Note** :- In all matters not provided for in this Constitution the Executive Committee shall have power to take decision which have to be placed for ratification before the Association in a special (next) General Meeting.

That this constitution is formed by the appointed committee by general body on this behalf, vide resolution dated 25/04/2019, consisting seven advocate SH. KRISHAN KUMAR VERMA, SH. NAVDEP SINGH HEERA, SH. VIVEK SONI, SH. NEERAJ SHARMA, SH. RAKESH MARKAN, SH. PARAMJEET SINGH PAMMA, MRS. INDU BALA.

This Constitution shall come into force with immediate effect.





Ph. 0172-2688519

# Bar Council of Punjab & Haryana

## LAW BHAWAN

Dakshin Marg, Sector 37-A, Chandigarh - 160036, website. [www.bcph.co.in](http://www.bcph.co.in)

Ref. No.....5392/2021

Dated..12-01-2021

### PROVISIONAL CERTIFICATE OF RECOGNITION AND REGISTRATION

The Bar Council of Punjab & Haryana, Chandigarh hereby certify that **The BAR ASSOCIATION NANGAL , PUNJAB** is recognized and Registered provisionally under rule 3 of the Bar Association, (Constitution and Registration) Rules 2015, subject to compliance of Rule 4 of the Rules, within two months failing which this certificate would stand cancelled.

Given under my hand and the seal of Bar Council of Punjab and Haryana

this 12<sup>th</sup> day of January 2021.

  
(Karanjit Singh)

CHAIRMAN

Bar Council of Punjab and Haryana  
Chandigarh