

AMENDED CONSTITUTION & BYE LAWS OF
BAR ASSOCIATION, BIKANER

Registered Address of
the Association will be

District Bar Association,
Bar Room, District Court,
Premises, Bikaner.

OBJECTS (1)

- A) The object of the Association shall be to uphold the honour, the dignity of individual member of the Bar, each and every advocate, the independence of the Bar and the profession of the Law.
- B) To promote unity, solidarity among the members of the Bar at all levels.
- C) To take measures to provide for financial aid to the new comers in the profession of law and the other members of the Bar and to their families in the appropriate circumstances.
- D) To promote and provide free legal aid to the needy person and to establish and maintain a system of prompt and efficient legal help for persons irrespective of their status and capacity to pay.
- E) To set up a code of professional conduct discipline status and etiquette for the members of this association and persuade the other advocates to follow such action as demanded by the needs of the time.
- F) To uphold and assist to uphold the member of the association or any other advocate, the Bar, the right dignity and honour in relation to the executive and the judiciary or any other authority and Tribunal and to further to mutual and good relation and cooperation between the Bar and the advocates and the bench, between Bar and the general public and the members of the other association throughout India.
- G) To constitute or caused to be constituted free legal aid committees and work in co-operation with other legal societies or association relating to the profession of law throughout state.
- H) To hold conferences, seminars and discussion, pass resolutions on all important matters of law and public importance pertaining to our area of operation and the state and nation.
- I) To acquire, hold and dispose off the properties of all kinds in the name of the association and to take all necessary steps to acquire by gift, sell, donation or otherwise, and to protect them from destruction of all kind and manage such properties as efficiently as possible.
- J) To take steps to eradicate, to fight against malpractices of toutism and other such practices prevailing in the profession of law which have marred the dignity of the advocates and the reputation of the Bar.
- K) To keep and maintain library for advocate.
- L) To promote literature science and fine arts.

MEMBERSHIP (2)

- A) There shall be a general House consisting of all the members of this association.
- B) Every advocate having his principal place of legal practice at Bikaner and in the District shall be member of the association.

SUBSCRIPTION (3)

Every member shall pay a subscription of Rs. 120/- per annum as subscription of membership or as fixed by general house by a resolution passed by simple majority of members, present in the house and such subscribing member shall be entitled to use and avail of the properties and the library of the association as a right.

Such member advocate shall not be entitled to vote in the election of the office bearers of the association or to vote on any resolution to be passed in general house without upto date payment of subscription.

MEETING (4)

i. A general meeting of the house shall be called by the president as and when necessary but it shall be called atleast once in every three month.

ii. Special meeting of the general house shall be called by the President on requisition of atleast 100 voting right eligible members of the Association within forty eight hours of the receipt of requisition. Such requisition shall contain agenda of the meeting. In case, such requisition shall be held the members giving such requisition shall be entitled to call a meeting of general house giving atleast 48 hours notice to members of the association. In the special general house meeting only the agenda mentioned in requisition shall be considered.

Every resolution shall be passed by simple majority of members present in the general house.

The quorum for an ordinary general meeting shall be 51 members entitled to vote.

The quorum for special general meeting shall be 100 members entitled to vote.

EXECUTIVE COMMITTEE AND PRESIDENT (5)

There shall be an executive committee of the association which shall manage, supervise and control all functions and activities of the association.

The executive committee shall be headed by an elected president. It will consist of other office bearers namely one Vice President, Secretary, Joint Secretary, Treasurer, Assistant Treasurer and upto 25 members. All the such office bearers shall be nominated by the president and such office bearers will continue at the pleasure of president.

A) A member of the association who has paid all the dues and subscription of the Association and who has completed ten years practice as an advocate at Bar shall be entitled to become candidate and be elected as President.

B) The President shall be the executive head of the Association and exercise all the powers and rights of the executive. He shall have the power to appoint an employee or employees for the association but such

appointments made by him shall be subject to confirmation by executive committee. He shall be entitled to sanction expenditure up to a sum of Rs. 1000/- for non budgeted expenditure but in emergency President shall have power to sanction required expenditure but it would be subject to approval of the executive committee.

VICE PRESIDENT (6) The Vice President shall act as president in the absence of President.

SECRETARY (7) The Secretary shall be principal officer of the association who will do needful for execution of function and duties of executive under the direction and control of the President. He shall keep the minutes of the Meetings.

JOINT SECRETARY (8) The Joint Secretary shall act for Secretary if and when this post is vacant or Secretary is unavoidable absent. He will also discharge such functions and duties which president or Secretary authorises him to do.

TREASURER (9) It shall be primary duty of treasurer to accept subscription and other property in name of association and to issue receipts about such property and subscription. He shall keep proper account of income and expenditure of the association. He will be also incharge of the immovable property and he will maintain inventory of such property.

ASSISTANT TREASURER (10) Assistant Treasurer will assist and help treasurer.

SPEAKER (11) Any member of the Association having minimum 20 (Twenty) years Practices as an advocate at bar shall be elected by the general house of the association for the post of speaker of association in the first general house meeting to be held after election of the president. The speaker shall preside over all the general house meetings of the association. In case of absence of the speaker general house shall elect speaker for that meeting.

NON-CONFIDENCE AGAINST PRESIDENT (12) The President shall be liable to be removed by a vote of non confidence passed against him in the general house meeting. The notice expressing non-confidence in the president shall be given by atleast 150 members of association entitled to vote. The notice shall be delivered to the speaker who shall direct the Secretary to call a meeting within 48 hours of the receipt of notice of non-confidence. In case the Secretary fails to call a meeting within 48 hours, the speaker himself shall be entitled to call special general house meeting for the same.

A non-confidence motion will be passed against the President if more than 50% of the members of the association who have the right of vote support the resolution.

The speaker shall take steps to get a new President elected within one month of passing of non-confidence resolution against president.

In such a case the returning officer will be appointed by the speaker.

SECTION (13)

The election to the post of the president shall be held every year in the month of January and term of president shall be from January to December every year or till new President is elected in month of January.

If election is not held in the month of January then the speaker shall assumed charge of President, who will hold such charge of post till election is held and speaker shall take necessary steps to hold election of for post of President.

The President may resigne from the office of President by submitting his resignation letter in person to speaker with address to general house. The resignation shall be effective since when speaker publishes it on notice Board of Association.

In such countigency or whenever Office of the President falls vaccant, speaker will assume charge of president and he will take necessary steps to hold election for post of president within one month of such vaccancy occurs.

The Executive Committee shall meet atleast once every month. The meeting shall be called by the Secretary and the President shall preside over all meetings and in his absence vice president will preside our the meeting.

The Executive Committee shall act for and on behalf of association and shall be entitled to sanction non budgeted expenditure. The Executive Committee shall have power to appoint all employees of the association. The gourum of the meeting of Executive will be 1/3 members of Executive Members.

A special meeting of the Executive will be called by the Secretary on receipt of the requisition signed & delivered by atleast 1/3 members of Executive Committee.

FINANCE (15)

- i. Subscription received from the members.
- ii. Donation received from members and non-members.
- iii. Financial assistance received from Bar Council of Ra,asthan and Bar Council of India.
- iv. Commission received on the sale of Welfare tickets or money received from any other activitiles.
- v. The President shall prepare and present the budget of income and expenditure in the begining of the term of President
- vi. The Treasurer shall deposit all kinds of money received in bank saving account in the name of the association to be operated by the President, Secretary and Treasurer. All payments above Rs. 1000/- shall be made by cheque which will be signed either by President and Treasurer or by the Secretary and Treasurer.
- vii. The President shall get the accounts audited by Chartered Accountant at the end of his term but shall present such account and audit report of Chargered Accountant in general house meeting to be called before the fresh election be held.

The General house may amend add or repeal any portion of Memorandum of Association and rules but it shall require sixty percent of casting votes.

Any Amendment in the constitution and bye laws of the Association shall be made according to Sec. 12 of Raj. Societies Registration Act, 1958.

Liquidation of Association shall be in accordance with the provision of Sec. 13 and 14 of said Act (Raj. Societies Registration Act, 1958).

Registrar Societies shall have powers to inspect the record of association and his suggestion will be complied with by the Association.

It is certified that rules and regulations of the Association, Bikaner have been amended in accordance with provisions of law in meeting of general house held on 29th Nov., 1997 and these are incorporated correctly in this constitution of Bar Association, Bikaner.

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 सचिव
 बार एसोसिएशन, बीकानेर

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