

**RULES OF**  
**The**  
**Ferozepur District Bar Association**  
**FEROZEPUR**  
**WITH ALL AMENDMENTS**

Whereas it is expedient to consolidate and amend the existing rules of the Bar Association, the following rules are hereby passed for future observance.

1. This association shall be called the Ferozepur Bar Association.

**Members of the Association and Subscription etc.**

2. Every legal practitioner ordinarily practicing in Ferozepur District shall be eligible for election as a member of the Association.

There shall be two classes of membership namely :

(1) Local Members

(2) Outstation Members

(a) Those legal practitioners who ordinarily practice at Head Quarters shall be known as Local Members. Those legal practitioners who do not ordinarily practice at Head Quarters but practice else where shall be treated as outstation members.

(b) A local member may be treated as a outstation member when he ordinarily does not continuously practice at the Head Quarters and the Executive Committee of the Bar Association agrees to accept him as such.

Outstation members shall not be entitled to vote at any meeting of the Association not shall he be eligible for any office or membership of the Executive Committee.

3 Every legal practitioner eligible for election, who there are no arrears against him, but this will not apply to outstation members.

4. The Secretary shall on receipt of the written proposal enter the proposal in register, giving the names of the proposer and seconder and shall call a meeting of the Association as early as may be convenient to elect the candidate.
5. (a) Unless all the members present choose to (vote) by show of hands, voting should be by ballot. The Ballot Box should be opened by the Secretary in the presence of the Chairman, and the result shall be announced forthwith.
- (b) If the candidate is duly elected, his election shall be notified to him by the Secretary without delay, and the member elected shall be requested to pay his subscription of the current month. If the candidate is not elected the deposit of admission fee shall forthwith be returned to him by the Secretary.
6. No ballot shall be valid unless half the number of members present vote, and one negative vote shall cancel two affirmative votes.
7. No candidate who has been black balled can be again proposed until after the expiry of three months from the date on which he was found not to be elected.
8. The District and the Session Judge, Ferozepur and the District Magistrate, Ferozepur shall be the patrons of the association.
9. The admission fee Rs. 50/- for all members, whose principal place of business is at Ferozepur and Rs. 25/- for outstation members; Provided that if any outstation member shall settle at Ferozepur, he shall make up his admission fee of Rs. 2000/- and thereafter shall be governed by all the rules applicable to Local Members.
10. All local Members shall pay Rs. 8/- per mensem each as subscription and outstation members Rs. 4/- per mensem each as subscription. Local members continuously absent from the Bar



for more than three months shall rank as outstation members provided the member desiring to do so avails himself of this concession had notified in writing to this effect to the Secretary of the Association. The three months will count from the date of notice.

In case of involuntary absence of a member for more than three months, whether on account of sickness, Lawful restraint or any other allied cause which the general house may deem fit, the provision regarding three months, notice for availing the concession given above shall not apply and it will be open to the general house to treat the member claiming the concession as an outstation member and charge subscription from him at the reduced rate leviable from an outstation member. The subscription will be charged from month to month.

11 The subscription is payable within the month for which it is due. Any member paying his subscription by the last date of the month for which it is due will be entitled to a rebate of (Paisa fifty) -/50 provided that desires to become a member of the Association shall, after he has deposited the admission fee here-in-after prescribed, be, at least, proposed by one member of the Association and seconded by another. The proposal shall be in writing addressed to the Secretary, and shall be signed by proposer and the seconder.

12. The rate of subscription can be altered by a resolution of the Association at a meeting in which the quorum shall be 1/3 of the local members.

13. Every subscription shall be payable in advance on the 1st of each month, Any member from whom three month subscription is due shall be considered in default and it shall be the duty of the Secretary to demand the arrears of the subscription by a notice in writing from the member in default.

The notice shall state that the amount due should be paid within 15 days from the date of receipt of the notice provided that in case of any member being absent from the Bar, the Secretary may use his discretion as to the mode of service of the notice. The cost of postage stamps and registration, if any incurred, shall be recoverable from the member to whom the notice is sent, as arrears of subscription. It shall be permissible to send the notice by hand, instead of through post and in that case the member shall give his Signature acknowledging the receipt of the notice. But in case of member who has been treated as outstation members on account of illness or lawful restraint his subscription shall be payable one month after the disability ceases and if the subscription then outstanding against such member is not paid within three months from the date of removal of disability his case, shall be governed by Rules 13 and 14.

14. After the expiration of 30 days from the date of the receipt of the notice mentioned in Rule 13 if the defaulting member fails to comply, with the notice, then he shall ipsofacto cease to be a member of the Association, but shall be eligible to be readmitted without re-election or admission fee within three months of his ceasing to be a member, on payment of all subscription and other charges if any, upto date. The Secretary shall sent an intimation to the District and Session Judge. District Magistrate and Collector after the expiration of three months that such lawyer has ceased to be a member of the Bar Association.

15. Every existing member of the Bar Association shall be deemed to have been duly elected according to the new rules.

16. Any member who from any cause including compulsory registration, or expulsion ceases to be a member of the bar Association, shall forfeit all claims to, or interest in the property of the Association.



17. It will be lawful for the Executive Committee of the Association to re-admit any exmember on a sufficient cause without charging new admission fee in whole or in part, provided no such member shall be re-admitted by the Executive Committee whose expulsion was confirmed by the Association or who was expelled by the Association.

18. The affairs of the Association shall be managed by an Executive Committee consisting of a President, Vice President, Secretary and treasurer and five ordinary members who shall be elected at the General Annual Meeting and shall hold office for one year or until the next election, but in no case more than one month after the expiration of the year. Provided that if the members of the committee, if they so desire and consider it necessary, shall have the power to elect an extra member from the General Body of such members who were eligible to vote at the general election. Should any member or members of the committee vacate office during the course of the year, his or their place shall be filled up by the remaining members of the Committee from the general body of such members of the Association who were eligible to vote at the general election provided but in the event of the president vacating office the Vice-president shall act for him and in the event of any other office bearer vacating his office the Executive Committee shall make a temporary arrangement till such time as another President or other office bearer is duly elected by the Association provided that the Executive Committee in case it deems necessary for the efficient discharge of Secretary's duties may appoint out of the members of the Executive Committee as Joint Secretary to help the Secretary in the discharge of his duties.

19. The Secretary shall two weeks before the election of the new executive committee, call a general Meeting of the

association at which the committee shall present an abstract of, and report on the accounts and concerns of the Association the past year with a special note as regards admissions, if any of books. Law Reports, periodicals of the like made to the Library.

20. Election of the members of the Executive Committee and its office bearers shall be held annually on the 15th April or on such other date and at such other hour as may be so fixed by the Bar Association at a General meeting.

21. Twelve days, before the date fixed for election, the Secretary of Bar Association shall publish in the Bar Association Room, a provisional list of members of the Association who are eligible to vote for election. The list shall also specially the name of the officer who will deal with claims and objections under Rules 23.

22. No person shall be eligible to vote from whom any subscription for any month prior to the month in which the provisional list is published, is due.

23. Claims for inclusion in and objections for exclusion from the list shall be filed within two days, and shall be disposed of by the Secretary or the President or Vice President after hearing the claimant and the objector and the member objected to, as the case may be.

24. A week before the date fixed for election Secretary shall publish in the Bar Room, a final list of the members of the association who are entitled to vote.

25. The list published under rule 24 shall be conclusive proof as to the right of the member included there in to vote and no member whose name is not entered in the list, shall be eligible to vote are to take part in the election or to be nominated as a member of the Executive Committee unless his name is omitted by an accidental error or clerical slip.



26. The Secretary shall, along with the publication of the final list under rule 24, require by notice, the member included in the list, to nominate in writing the member of the Executive Committee within 3 days on the prescribed nomination form which shall be supplied by the Association.

27. Every nomination shall be duly proposed and seconded by a member entitled to vote and accepted in writing by the candidate and the nomination papers shall be handed over to the Secretary or such other person which may be appointed by the Secretary to receive such papers provided that no member shall be entitled to put in more than one nomination paper.

28. The Secretary shall there after within 24 hours notify in writing in the Bar Association Room, the names of the candidates duly nominated for election to the Executive Committee.

29. No member whose name is not so notified shall be eligible for election as a member of the Executive Committee, unless omitted by accidental slip or error.

30. A. There shall be no election of members of the Executive Committee if the members notified a duly nominated under rule 28 is equal to or less than the number of members of the Executive Committee to be elected. The members so nominated shall be deemed to have been elected.

31. On the date fixed under rule 20 or any subsequently date to which the Annual election of office bearers is adjourned by the president or in his absence by the Vice President in writing the Association shall proceed to elect members of the Executive Committee and the election shall be by ballot.

(a) If the number notified as duly nominated under Rule 28 exceeds the number to be elected.

(b) If the number notified under rule 28 as duly nominated, is less than number to be elected, to the extent of



marking up the number in addition to those held as duly elected under rule 29 A.

32. Each member shall have a Right to nine votes, provided that he shall not cast more than one vote in the name of one candidate nor more nor less than nine votes in all. Any ballot paper in violation of this rule shall stand cancelled.

33. The nine names that shall top the polls, shall be declared duly elected to Executive Committee for one year.

Provided when a tie occurs in the last names, the matter shall be decided by casting of lots in such a manner as may be directed by the Chairman but not by the casting vote of the Chairman.

34. The Secretary shall notify the names of the members of the Executive Committee and the Association shall proceed to elect the office bearers of Executive Committee of the members so notified as duly elected.

## QUORUM

35. Four members present at a meeting of the Executive Committee shall form a quorum. Executive Committee shall form a quorum.

36. At all General and special General Meetings of the Bar Association not less than  $\frac{1}{4}$  of the total numbers of local members shall form a quorum provided that any such meeting has once been adjourned for want of quorum, for the adjourned meeting which will transact only the business of the meeting so adjourned. There shall be no restriction of quorum. But for a meeting of the association to consider the conduct of any member under rule 51 the quorum shall never be less than  $\frac{1}{4}$  of the local members, even if it be an adjourned meeting for want of quorum.

37. A meeting adjourned otherwise than for want of quorum shall have to conform to the provision for quorum.

38. The chair shall be taken at all meeting of the Executive Committee and of the Association by the President and in his absence by the Vice President. In the absence of both, a Chairman shall be elected by the meeting from amongst the members present.

39. Except as expressly provided elsewhere in the rules all question shall be decided by the majority of votes members present at a meeting and in the case of equality of votes the Chairman of the meeting shall have casting vote. Unless otherwise provided in these rules.

40. All communication between the committee all members vice versa, all other communications on behalf of the Association shall take place through the Secretary or Joint Secretary if any.)

41. No publicity shall be given by any member to any private conversation which may take place in the rooms occupied by the Association.

42. Except upon the introduction of a member no stranger shall be allowed admittance into the rooms occupied by the Association except on business.

43. Minutes of the proceedings of Executive Committee and of General meetings and Special General meetings of the Association and as also all other records in possession of the Association shall be open to inspection at all convenient hours by the members.

#### MEETINGS OF ASSOCIATION.

44. The Executive Committee shall hold its meeting after one day's notice to its members. The meeting may be called at the instance of the Secretary or the President giving detail of the matter to be discussed.



45. It shall be lawful for the president, (or in his absence Vice President) or the Secretary to call a General Meeting of the Association whenever he thinks it desirable to do so, after giving two clear day's previous notice to the member present in the station except in cases when business of a purely formal nature is to be immediately transacted, and in that case a shorter notice to the members present in the compound of the District Court and the Session Judge's Court shall be sufficient and such notice may only be struck up on the notice board in the Association Room. Provided that the business shall not be deemed to be of a formal nature if one forth of the members present object to it being of a formal nature.

46. The Executive Committee may direct or any five members of the Association may require the Secretary to call a Special general meeting to consider the matter which shall be definitely specified in the direction or the requisition. A notice of such Special General meeting shall be given at least four clear days before the day of the meeting and shall specify the matter or matters to be discussed.

## **Registers of Association**

47. The Association shall maintain the following registers :

1. Register for books and other property of the Association.
2. Cash Book.
3. Ledger.
4. Minute book of the proceedings of the General & special General Meetings.
5. Minute book of the Executive Committee.
6. Letter Book.
7. Subscription Book.



8. Register of qualified Clerks.
9. Register of books taken out of the Library.
10. Suggestion book and an order book.
11. Such other register as the Association fo the Executive Committee may from time to time direct to be maintained.

## **BOOKS ETC.**

48 It shall be the duty of the Secretary to see that the books and property of the Association are properly, cared for and to report from time to time to the Committee what books and other necessities are required for the purposes of the Association and upon the sanction of the committee or in urgent cases in anticipation of such sanction he may, with the approval of the President, or in his absence with that of Vice President, order for the same.

49. The Secretary shall under the direction of the Committee make and from time to time revise the list of all such books, periodicals and newspapers belonging to the Association as are not to be taken out of the library. No member shall be entitled to take out any such book periodical or newspaper except with the special sanction of one member of the Committee. Such list signed by the Secretary shall be placed in some prominent place in the library.

50. With the exception of such books, periodicals or newspapers as may appear in the last mentioned list members may draw other books, periodicals or newspapers belonging to the Association after giving a receipt to the librarian.

All books taken from the library shall be returned within three days or earlier if notice is given by the Secretary that they are so required. Any member failing to so return the books,

shall be liable at the order of the Committee, to pay a penalty of Rs. 1/- anna per day for every volume so detained without a sufficient cause after notice has been given to him to return it, provided that in no case shall the penalty exceed double the value of the books detained, and further any member subject to penalty under this rule shall not be permitted to any other book, periodical or newspaper out of the library or otherwise use the library, until every such volume is returned and the penalty paid or a sufficient cause is shown to the Committee for the remission.

51. Any member who may lose, destroy or otherwise deface any book or periodical belonging to the Association shall be liable to a penalty which may extend to the cost of replacing the same.

52. Members may enter any suggestions or complaints in the suggestion book which shall be kept for that purpose in the library and the Secretary shall take necessary action upon such suggestions and complaints.

53. All questions affecting professional conduct of any member towards the Bar Association or towards any member or members of the Association shall be dealt with;

(i) In case the complaint is by a member or members of the Association, by the Executive Committee.

(ii) In case the complaint is by the Executive Committee, by Committee consisting of three members to be elected for the purpose at a General Meeting of the Association. The members of the Executive Committee shall also be eligible to the Committee.

Provided that the Executive Committee or the Committee as the case may be shall not take any action in the matter except after reasonable notice to the parties concerned.

Every notice under this rule shall be either delivered personally or sent by registered letter addressed to the member's



ordinary place of business and shall contain sufficient particulars of the charge against the member to enable him to prepare his defence.

The Executive Committee or the Committee as the case may be shall have full power to enquire into the matter and if necessary to take action in one or more of the following ways :-

1 By calling upon the members to comply with the order of the Executive Committee or of the Association.

2 By censure.

3. By compelling the members to offer a suitable apology.

4. By asking the members to resign his membership of the Bar Association or by expelling him from the same.

Provided that resolution calling in a resignation or expelling a member from the Association shall be subject to confirmation by the Association at its Special General meeting to be called for the purpose.

All communications made to the Executive Committee or the Committee under this rule shall be deemed to be privileged.

54. In case of complaint by clients against members of the Bar Association, the president or any person authorised in writing by the President may enquire into the matter after giving reasonable notice to the complainant and the member concerned to see if any settlement can be effected. In case the matter complained of does not relate to the professional dealing between a member of the Association and the complainant, the President shall refuse to take any action.

Any complaint against a recognised clerk by members of the Association or the litigant public as well as any complaint by a clerk against a member relating to his pay or refusal to issue a



certificate of discharge from service the President or the person delighted may enquire into the complaint and submit his report to the Executive Committee who may take any suitable action against the clerk or the member concerned and impose any penalty consistent with Rule 52 and against the clerk by striking off his name from the Roll of clerks and shall be debarred from being engaged by any member and the result be communicated to the District Judge also.

55. Compulsory resignation or expulsion from membership under Rule 52 shall carry with it forfeiture of all rights to or interest in the property belonging to the Association and of all privileges appertaining there to.

It shall be the duty fo the Secretary to send an intimation to the District Judge, District Magistrate and Collector about the resignation of such member or his expulsion from the Bar Association.

56. No member shall employ any tout for the procuration of or for the employment of himself into any legal business and no member shall accept a case through a tout.

57. No member shall employ any person as a clerk, until he satisfies himself that the applicant : -

a. Is a recognised clerk already on the rools of the existing clerk register, or is a Matriculate and

1. Is not a declared tout or
2. Has not been convicted of an offence involving moral turpitude.

b. Does hold a certificate of discharge from his previous employer if any, and provided that a certificate of discharge wrongfully withheld by a previous employer may be given by the Executive Committee after an enquiry may be given

by the Executive Committee after an enquiry on the application of the clerk concerned for the grant of such a certificate, and

c. Is sufficiently literate to take notes of the procedure of the professional work as required in the law court.

58. The number of the clerks or agents which a lawyer can employ shall not exceed two.

59. Person so employed by a member of the Association for the purpose of his profession, shall not be paid out of employer's income, by a percentage of or by a share in the employer's income.

60. Every member of the Association shall furnish to the Committee by the middle of April in each year a list of clerks or Agents in his employment for the purpose of his profession, and all changes of establishment shall be reported to the Committee from time to time within fourteen days of their change and a list of all such clerks or agents shall be prepared by the committee and hung up in the Bar Room, provided that the Committee may for good cause refuse to enter in or expunge from the list, the name of any person who may be considered objectionable.

61. No member of Association shall employ or continue to employ, any clerk or agent whom the Committee or the Association has refused to register.

62. No clerk or agent of any member of the Association shall be allowed to hold any kind of communication directly or indirectly, with any person who is a declared tout, for purposes of securing professional employment for his master nor shall suffer any such person to enter or remind on his masters premises without remain bringing it to his notice immediately, who will take suitable action.

63. Any infringement of rules 53 to 59 may be dealt with as Professional misconduct within the meaning of the rule 51.

## **CONDUCT OF CLERKS**

64. No clerk or agent of any member of the Association shall without his master's express knowledge or consent assist any client in engaging another counsel. In fringement of this rule or rule 59 shall render his name liable to be expunged from the list of clerks referred to in rule 57.

## **APPEALS**

65. An appeal from any, order or decision of the Committee under any of the rules of the Association may be presented by any person aggrieved to the Secretary within thirty days from the date of the order and the Secretary shall within ten days of the receipt of such appeal convene a general meeting of the members of the Association to decide the same.

## **FUNDS AND BUDGET**

66. The funds of the Association shall be deposited with a Bank approved by the Executive Committee in such account as the Executive Committee deems fit.

67. The account shall be operated by the President or the Secretary jointly or severally.

68. The Executive Committee may expend such monies and make such appointments as regards servants and entertain such establishments for the purpose of the Library as it may deem necessary. The Executive Committee shall try its best to spare and to spend as much money as possible for the purchase of law books, Law Reports and current legal Law Journals and otherwise replenish the Library with Literary periodicals and other news papers according to funds at its disposal.

69. The Secretary can spend up to Rs. 10/- and the President upto Rs. 20/- only in cases of emergency but the committee should be informed of the same in due course.



**70. The executive Committee through the Secretary shall cause to be formed a budget of the actual and revised estimate of the income and expenditure for the current year as well as the forth coming year to be laid before the Annual General Meeting of the Association.**

**71. The Executive Committee shall every year appoint members for the proper checking of the Accounts of the Association.**

**72. It will be competent to the Executive Committee or General Meeting of the Association to decide all matters not covered by these rules and to place them before a meeting of the General Association if advisable.**

**73. All action taken under the old rules are valid.**

**19.2.2009**

**President.**

**Sukhdev Singh Nagpal**

**Distt. Bar Association**

**Ferozepur**