

An extra ordinary meeting of the District Bar Association, Narnaul was held today i.e. on 17-3-2004 in the Bar Room, in pursuance of the mandate given in the resolution passed by District Bar Association NARNAUL in its meeting held on 28-2-2004. The meeting was attended by more than 150 members. Since the meeting was held as per the afore-said mandate of General Body of the Bar Association. The necessity to adjudge the quorum was waived by the consensus of the house.

The following business was transacted and resolutions were passed by unanimous voice vote.

A. CONSTITUTION OF THE DISTRICT BAR ASSOCIATION:

In the last meeting of the District Bar Association NARNAUL, it was moved by "MAJORITY" of the members that the house had constituted a Constitution Committee consisting of Sarvshri N. S. Yadav, S. K. Sanghi, Prem Nath Gupta, Bhagwandass Sanghi and R. K. Mehta to Draft the Constitution of the District Bar Association NARNAUL. It was pointed out that the Draft Constitution was tabled and discussed in 1999 and after thread bare discussion the resolution was virtually complete for its final reading in the meeting of the General Body of District Bar Association NARNAUL, but ever since the said constitution is gathering dust and has not been adopted. As per the wishes of the majority of the members, the constitution of the Bar Association was presented in its meeting held today and was extensively read over by Sh. S. K. Sanghi. After discussing the nitty gritty and niceties and after incorporating minor variations, the following resolution was passed:

"The District Bar Association Narnaul unanimously resolves that after the final reading of the constitution and carrying out the necessary amendment the General Body of the District Bar Association unanimously declares the constitution of the District Bar Association as finally passed. The Bar Association directs that the constitution so adopted be got registered by the Registrar of Firms & Society as per the existing rules and law."

**CONSTITUTION AND RULES OF THE DISTRICT BAR
ASSOCIATION, NARNAUL.**
(AS RESOLVED BY THE GENERAL BODY ON 17.3.2004)

1. NAME :

The Association shall be called : "District Bar Association, Narnaul."

2. AIMS & OBJECTS :

The aims and objects of the Association shall be :-

- a) To protect, safeguard and advance the rights and privileges of the members of the legal profession in general and the members of the Association in particular.
- b) To maintain the Bar-Room and to provide other amenities, Library, Hostate/Computer, canteen etc. for the personal and corporate comforts of the members.
- c) To encourage mutual goodwill and social relations amongst the members of the Bar Association themselves and with the Bench.
- d) To maintain the dignity and purity of the profession.
- e) To render help and assistance to the litigant public whereby legitimate grievances may be easily removed.
- f) To help fearlessly in the administration of law and the maintenance of the standard and purity of justice.
- g) To make measures for the provisions of free legal aid to the poor and the establishment and maintenance of a system of prompt and efficient legal advice for persons, irrespective of their capacity to pay.
- h) To take measures to provide financial aid to any member of the Bar in strained circumstances and members of their families on their death and to adopt other welfare schemes for its members.

3. MEMBERSHIP AND SUBSCRIPTION :

- a) The membership of the Association shall be open to all Advocate whose ordinary place of practice is or has been at Narnaul district Mahendergarh or practising in Punjab and Haryana High Court from this Bar on payment of Rs. 200/- as an enrolment fee and Rs. 20/- per month as monthly subscription or such subscription provided by the Association from time to time.

b) The members shall be liable to pay a monthly subscription of Rs. 20/- in advance up to last day of the month in which it falls due which may be varied from time to time by the Association.

c) If a member of this Association fails to pay the monthly subscription within that month in which it falls due, he shall pay Rs. 2/- per month as fine for each month default alongwith his due subscription in the following month and so on, if the default continues.

d) In case of re-admission of a member, fresh admission fee will be charged along with all the previous dues.

e) If a member fails to pay the monthly subscription or other contribution agreed in the house or other amount due against him for 4 months, his membership shall be deemed struck off from the Bar Roll but after notice by the Secretary countersigned by the President, the member, pay the arrears in seven days from the receipt of notice served upon him, to the Secretary, along with cost of notice i.e. Rs.50/- and penalty amount, as per provisions of clause (c) above, then he shall be deemed to have duly paid the arrears within time.

f) If the membership of any member is struck off from the roll as aforesaid, his liability for payment of arrears shall not cease.

g) The membership of a member shall cease if he continuously remain absent for one year from the active practice at any place within the jurisdiction of District Bar Association, Narnaul or personally works for gain other than legal profession, his/her membership shall be deemed suspended provided a seven days notice in writing shall be given to the member by the Secretary countersigned by the President on the address given by the member, in the Bar Association or at a changed address given in the Bar Association whereupon the member may submit his explanation in writing and the Executive Committee shall decide by the majority within a fortnight in writing and shall provide a copy free of charge to the member who may file an appeal within a period of 15 days to the general body through Secretary which shall give hearing to the member and shall give its decision which shall be final.

4. OBLIGATION OF MEMBER:

Every member shall :-

- a) Sign a pledge at the time of his enrolment as a member of Association, not to adopt or practise toutism and to do his best to eradicate the evil of toutism.
- b) Abide by the aims, objects, rules, regulations as are in the Constitution of the Association and shall be bound to act upon the resolutions passed by the Association from time to time.
- c) Appoint clerk/Munshi, which appointment shall be made, governed and regulated by the Rules framed by High Court of Punjab and Haryana and which are provided in Chapter 6-j of Volume V of High Court Rules and Order; provided that the Bar Association shall have power/authority to call upon any member to dismiss any Clerk/Munshi, if he is found indulging in toutism or guilty of acts/omissions/offences involving moral turpitude or found violating/contravening, any rules regulation, framed or any resolution passed by this Association or any provision of the Bar Constitution.
- d) Abide by the Constitution and respect ideals of the institutions.
- e) Uphold and protect the dignity, unity and integrity of the Bar and purity of profession.
- f) Defend the Bar and render service when called upon to do so.
- g) Value and preserve the rich heritage of our composite culture of legal profession.
- h) Protect the property of Bar from being damaged/wasted.
- i) Protect and improve the relation between Bar and Bench.
- j) Pay subscription fee in time and return the library book/books immediately as per rules framed for the purpose.
- k) But no member shall:-
 - i) Receive any bribe or otherwise take any case from or through tout of whom the Bar Association shall maintain a list and shall revise the same from time to time.

NOTE: A person shall be deemed a Tout whom the house of this Association by a decision in the meeting by majority so declares or who has been so declared by any other Bar Association in Punjab and Haryana or by Bar Council of any State or Bar Council of India.

- ii) Violate/contravene any rules regulations framed by or any orders/resolutions passed by Bar Association or Bar Council of Punjab and Haryana and also by the Apex Body i.e. Bar Council of India.

5. PRIVILEGES AND QUALIFICATION OF MEMBERS :

Every member shall :

- a) be part of General Body of the District Bar Association, Narnaul and shall be known as "General Body of Association" for the purpose of this constitution.
- b) be entitled to share all comforts and amenities and other facilities provided by the Bar and to use its library according to rules, prescribed for it.
- c) have right to vote in the annual election, provided he clears all dues, library books up to 15th March of every year and shall be entitled to vote at a meeting of the Association.

EXCLUSION FROM MEMBERSHIP & CONSEQUENCES :

- a) The reasons for expulsion, among others, may include malpractice or toutism, employing those persons as Munshi or Clerk, whom the association has declared unfit for such works and disobedience of the rules, regulations, orders, resolution of the Bar Association.
- b) The name of any member shall be liable to be removed from the membership of the association, if at least 2/3rd of the members present in the meeting specially called for the purpose of vote for such removal; but for holding such a meeting, one week's notice and quorum of 2/3rd members of the Association shall be necessary. The same shall be communicated to Bar Council, Punjab and Haryana High Court, Chandigarh.

Exclusion from membership shall entail forfeiture of all privileges ordinarily available to members of the Association.

- d) In case of removal of any member for professional misconduct or for other reasons mentioned in this constitution, no member shall give him/her any professional help, assistance directly or indirectly, inside or outside the courts or give or take legal advice, hold professional consultation with or in any manner, accommodate him/her in professional work.
- e) A member of Association ceased to be a member if he does not attend five consecutive meeting of the Bar after affording an opportunity to him by Association.

7. EXECUTIVE COMMITTEE :

A) The management of the ordinary business and affairs of the Association shall be carried out by an Executive Committee to be elected annually in the election to be held in the last fortnight of the month of March in accordance with the provisions hereinafter contained. The new office bearers shall take charge on 1st April every year.

In case of vacancy falling during the year, it would be filled up by the election within a month as provided herein.

B) The Executive Committee shall consist of :

- | | |
|----------------|---------------------|
| i) President | ii) Vice-President |
| iii) Secretary | iv) Joint Secretary |
| v) Treasurer | vi) Librarian |
| ii) Auditor. | |

C) Each member of the Executive Committee shall be elected through the process of secret ballot and a candidate getting the highest number of votes shall be declared elected.

D) The election of the Executive Committee (office bearers) of the Association shall be conducted by committee called "The Election Committee" consisting of members not more than 5, including its Chairman and Secretary.

I) The Chairman, Secretary and members of the election committee shall be chosen unanimously or if it is not possible, by majority of the members of the association present in the general meeting convened for this purpose, provided that (i) the quorum for such general meeting shall be 1/5th majority of the members on roll, (ii) no member of committee shall contest the election or any office of the Association unless he/she resigns from the membership of the election committee, (iii) the Chairman, Secretary and members of the election committee shall be chosen every year in the last fortnight of March alongwith executive committee and shall continue acting and discharging their duties as such till new election committee is chosen & as provided in this constitution. However, for the conduct of election in March 2004, the election committee shall be elected at its general meeting at the earliest after approval of this constitution.

II) The Election Committee shall notify the elections programme on 16th March or in case of holiday on the next working day and the

elections of all office bearers shall be completed before 31st March every year, unless considering some emergent grave circumstances, the elections are postponed by 2/3rd majority of members of the Bar present in general meeting convened for this purpose. The quorum for such meeting will be 2/3rd membership on roll.

III) If the elections are not held as laid down or no steps are taken as provided in sub clause (ii), the previous executive committee shall cease to act or work as such from 1st April 2004 and so on.

IV) The election committee shall invite applications for posts of office bearers of the association and shall also fix election schedule/programme bearing dates and time for filing for nominations, scrutiny, withdrawal of nomination papers, polling and declaration of results.

V) The election shall be held by a secret ballot from 10.00 a.m. to 4.00

i. The counting of votes shall take place immediately after the polling is over and the result shall be announced on the same day. The candidate or his authorised agent, shall be allowed to remain present during polling and counting time.

VI) The election committee may frame rules and regulations necessary for conducting the election in accordance with the provisions of this constitution. In case any one or more members resign or falling vacant from the committee, the remaining members may take the help of any member of the Association whom they consider just and reasonable or they may ask the general body to fill up the vacancy caused by resignation or otherwise.

VII) If the election committee fails to get the annual election conducted in the manner laid down above, then the house in its general meeting of 1/5th members present in the meeting of the association on roll, shall nominate the election committee of 5 members or in any other manner, conduct the election as prescribed in the constitution.

E) No Confidence :

i) A requisition to call a meeting to consider a vote of no confidence against an office bearer shall be in writing and signed by at least 1/5th of the total number of members on the roll of the Bar Association, it shall clearly specify the grounds in a precise manner, information of such a requisition shall at once be given to the office bearer concerned through Secretary.

ii) 10 clear days notice be given for a meeting called under 7(E) (i) to consider a vote of no confidence. The quorum for such a meeting shall be 2/3rd of the members of the Association and a resolution to be carried out shall require the votes of 2/3rd majority of the members present in the meeting.

Provided the requisition shall become invalid if the signatories to it withdraw their consent and the number of such requisitionists falls short of that required by the rule.

Provided also that no such resolution shall be considered in an adjourned meeting.

Provided also that the office bearer against whom the no confidence vote is moved, shall be given full opportunity to explain his position, also in writing, if so desired by him, in the meeting before votes are taken on the resolution.

8. DUTIES AND POWERS OF OFFICE BEARER :-

Duties and powers of the office bearers shall be as follows :

A. PRESIDENT:

The president shall:

- 1) Preside over all the meetings of the association when present.
- 2) Represent the association on all occasions or authorise any person to represent on his behalf.
- 3) Issue orders to other office bearers for the well being of the association.
- 4) Generally supervise and control the affairs and activities of the association and members of the executive committee and staff.
- 5) Incur and sanction any expences upto Rs. 500/- (Five Hundred) at any time subject to the approval of the executive committee.
- 6) Have a right of casting vote in case of tie.
- 7) May delegate any power to Vice President or in his absence to the Secretary.

B) VICE PRESIDENT :

The vice president shall act for the president in his absence, provided that if the Vice President too is absent any senior member of the Executive committee may also do so in good faith.

C) SECRETARY :

The secretary shall :-

- 1) Issue notice of the meeting in consultation with the president or requisitioned as provided in the constitution or by majority of the members of the executive committee.
- 2) Carry out correspondence of the association and supervise the collection of subscriptions and notices of demand for arrears etc. as provided for herein the constitution.
- 3) Supervise the maintenance of the furniture and other properties, library, Photostate, canteen etc. and the Bar Room.
- 4) Use funds of the Association with the approval of the office bearers for the upkeep and improvement of the Bar Association, including library.
- 5) Transact all other business of the Association.
- 6) Carry into effect all resolution of the executive committee or the Association.
- 7) Keep the minutes of the proceeding of the meeting of the association and the executive committee, and provide attested copies of the resolution & orders of the Executive committee on the payment of Rs.5/- per page.
- 8) Keep necessary record and other orders.
- 9) Supervise and control the menial and other staff.
- 10) Draw upon the treasurer to meet expences of the association for monthly pay and other charges such as newspaper, books etc.
- 11) Maintain the following register.
 - i) A register of members containing their names and address with telephone numbers.
 - ii) A minute book.
 - iii) A correspondence book.
 - iv) A peon book.
 - v) A cheque book and pass book.
 - vi) Subscription register.
 - vii) Register of approved Munshis.
 - viii) A register of ill-reputed touts.
 - ix) A register of disreputable persons ineligible for employment as clerks etc.
 - x) A stock register of assets.
 - xi) Any other register which may be deemed necessary.

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- xi) Any other register which may be deemed necessary.
- 12) Responsible for the smooth functioning of the programme of the bar.
- 13) Record of the proceedings of the meeting of the executive committee and the general body meetings and will be responsible for its proper maintenance.
- 14) Bring to the notice of the executive committee all such matters requiring action by it and give notice to all members with the approval of the President.
- 15) Keep in touch with all office-bearers as far as possible to secure fullest cooperation in the execution work of the Bar.
- 16) Carry out the directions of the President or the Vice-President, in his absence.
- 17) Maintain upto date list of members of the bar.
- 18) Prepare annual report of the bar and present it before the executive committee before presenting to general body and whenever required.
- 19) Keep upto date rules, regulations and constitution of the bar made from time to time and issue the copy of constitution at cost of Rs.50/- or certify copy of any rule or regulation or resolution on payment of Rs.5/- per page.

D) JOINT SECRETARY :

The joint secretary shall perform the duties of the secretary in his absence, or such duties, as the President or the Secretary may assign to him/her time to time.

E) TREASURER :

- 1) Arrange to collect all subscription from the members.
- 2) Maintain account book relating to funds of the association.
- 3) Deposit all the cash in the bank/post office except to the extent of Rs.1000/- for current expenses.
- 4) Issue proper receipts for all payments received by him or on his behalf for the bar and disburse them only under the authority of the President or in his absence the vice-president.
- 5) Maintain complete and upto date the register of accounts of members of bar and amount due from each member.
- 6) Responsible for proper maintenance of accounts, get annual audit

from the elected auditor and then present before the executive committee for approval and then produce in the meeting convened for annual election, for its approval.

If the accounts are not approved in writing by the executive committee or general body, the treasurer shall be personally liable for the amount of the association.

7) Arrange to collect grant/endowments or any other property what so ever in the name of the bar and the same shall be deposited with the bank/ post office immediately.

7) LIBRARIAN :

The librarian incharge shall :-

1) Suggest the executive committee the purchase of suitable books, news paper etc. & ensure the purchase of books.

2) Be responsible for the maintenance of library and carry all other duties enjoined upon him under the rules of library as amended from time to time.

8) AUDITOR :

The auditor shall audit the record and accounts of the bar from time to time and shall submit the audit report in the annual general meeting as provided.

OPERATION OF BANK OR POST OFFICE ACCOUNT:

1) The bank or post office accounts shall be opened in the name of association which shall be opened and operated by the president and the treasurer jointly or by any person or persons nominated by the members of the general body of the association in a meeting held for this purpose and by majority of the members present in the meetings. All amount collected under this constitution shall be deposited in the account except the treasurer shall be entitled to keep cash upto Rs.1000/- (one thousand) with him.

2) That any sum exceeding Rs.1000/- shall be paid through cross cheque or cross demand draft.

MEETING OF THE EXECUTIVE COMMITTEE:

The meeting of the executive committee shall be held once in a month

- in bar/library room which shall be called by the president or in his absence by the vice-president or secretary provided that the president when required in writing by majority of executive committee members to call a meeting, shall do so within three days of requisition failing which these members shall be entitled to call a meeting after giving a week's notice to president and the other member of the executive committee. The minutes of all such meetings shall always be reduced into writing.
- 2) Majority of members of the Executive Committee for the time being holding office, shall form a Quorum, but not less than five members.
- 3) The decision of the executive committee shall be by majority and in case of tie, the president shall have the casting vote.
- 4) At every meeting of the executive committee the president, if present or in his absence, vice president, shall preside over the meeting and shall be deemed to be the chairman for the purpose of the clause 10 (1) *ibid*.
- 5) That in absence of president & vice president, any member agreed amongst the executive committee, shall preside over the function.

11. MEETINGS OF THE ASSOCIATION:

A) There shall be held :-

- i) General, ii) Special,
 - iii) Ordinary, iv) Emergent
- meetings of the association .

B) GENERAL MEETING :

General meeting shall be held at least thrice in a year to consider the question of :-

- i) Annual election and election of members of election committee.
- ii) Accounts and report.
- iii) Expulsion and other disciplinary measures against members.
- iv) Changes in the constitution, rules, aims and objects of the Association (to be done by 2/3rd majority and 2/3rd Quorum of members of the bar as provided in clause 15).
- v) Such other matter as may from time to time be submitted for its consideration by the executive committee or requisitioned by member as provided.

Note : The executive committee or the president, on a written requisition of 50 members shall call a general meeting at any time for any special purpose.

No General meeting shall be held unless at least 1/4th of the member on the role are present in the meeting and at least five days notice is given to the Secretary, containing the Agenda.

C) SPECIAL MEETING :

A special meeting of the bar association shall be held :-

By order of the president or at the written request of 50 ordinary members at any time to consider important questions which may includes :-

- 1) The prepration of the list of the touts.
- 2) Proposal regarding the amendment of the constitution or consideration of legislative bills or acts.
- 3) Matter of urgent necessity not provided in the constitution.
- 4) Proposals circulated by public bodies or others for opinion of the association.

Such other proposals by 1/2 members of the executive committee may be submitted for decision.

i) Two days prior notice for such meeting shall be necessary.

ii) Quorum for such meeting shall be :-

a. For consideration of the questions relating to the list of touts 50 percent of the members on role are present.

b. For other questions at least 1/4th members on roll should be present.

D) ORDINARY MEETING :

i) Any ordinary meeting of the association shall be called at least once in a month to consider such other questions as will be circulated in the agenda by the secretary under the order of the president.

ii) Notice for such meetings shall be of two days and at least 1/5th ordinary members shall form quorum for such meetings.

E) QUORUM FOR ADJOURNED MEETING :

i) In case of meetings adjourned for want of quorum, no quorum shall be necessary for adjourned meeting, without any fresh notice, but fresh notice shall have to be issued containing the agenda, as provided in clause 6(b), 7E (i) (ii), 15 and clause 18 (G) to (K) & (M).

ii) In case of meeting adjourned for disposal of pending business and which could not be finished in the sitting, no fresh notice or quorum would be necessary, if the next date in the meeting for that agenda.

F) VOTING AT MEETING :

- i) For consideration of the questions relating to the list of touts or other matters relating there to the resolution shall be carried out by majority of votes by the members present in the meeting.
- ii) For all other business, the questions be decided by a majority of votes of the voting members present in the meeting, unless otherwise provided in the constitution.
- iii) In case of equality of votes, the president shall have right of the casting vote also.

G) NOTICE FOR EMERGENT MEETINGS :

In case of emergency, any meeting may be called under the order of president on a shorter notice than provided for any particular kind of meeting. No quorum on such meeting shall be necessary except as provided in clause 6(b), 7E (i) (ii), 15 and clause 18 (G) to (K) & (M).

H) CHAIRMANSHIP AT MEETINGS :

- i) The president and in his absence, the Vice President shall preside over the meetings but when none of these office bearers is present, at a meeting, the members present shall select their Chairman from amongst the Senior members present in the meeting.
- ii) The decision of the chairman on all questions or order, procedure, counting of votes, or other matters relating to the conduct of the business in the meeting shall be final.

I) REVIEW :

- i) No resolution passed in any meeting shall be reviewed unless application for review is supported by the signatures of 100 members and is recommended by the Executive Committee.
- ii) application for review shall be put up in a special meeting and the previous order shall be reversed or modified only if majority of the members present vote for such reversal or modifications, provided that the member is more than those who originally voted for the decision under review.
- iii) If any member feels aggrieved by any act or omission, of the Executive Committee, he/she may request the President in writing countersigned by 50 members of the Associations to consider the matter, who shall consider the matter himself or refer it to the general body for its decision.

J) DECISION OF THE GENERAL MEETING :

The Decision of the General Meeting shall be final on all matters.

12. SERVICE OF NOTICE: FOR MEETINGS:

Notice of meeting will so far as practicable, be served personally on the members. If service on any member cannot be made personally, a notice placed upon the notice board of the Association at least 24 hours before the time fixed for the meeting except for emergent meeting shall be considered sufficient service on the members not personally served.

13. ESTABLISHMENT :

a) The Bar Association shall employ :-

i) Library Clerk,

ii) One peon,

iii) If need be an extra Peon/Peons with approval of majority of the members of the Executive Committee.

b) The appointment, suspension, dismissal of or award of other punishment to any employee of the establishment shall be made by the president in consultation with and approval by majority of the members of the Executive Committee, whose decision shall be final.

14. GENERAL:

a) No stranger shall be allowed admittance in the rooms occupied by the Association.

b) No publicity will be given to any private conversation, which may take place in the meeting of the Association.

c) No Proposal sent up by a member for consideration of the Association, will be dealt with, unless the proposer either attends personally to move and support his proposal or authorise in writing some other member to represent the matter of the proposal before the meeting, in order to facilitate its decision.

d) Any person aggrieved by any decision of the Executive Committee or displeased with any act of any member of the Committee for election or any other Committee or other official, or judicial set up may appeal to the association within 30 days which shall be decided in general meeting as

15. AMENDMENT OF CONSTITUTION:

The Association shall always invite suggestions from any member of the Bar concerning the matter and business of the Association, for the purpose of inserting the same or for the purpose of deleting any provision from the constitution.

If such suggestion is supported by at least 50 members of this Association, the same shall be laid immediately before the house of the Association. The house shall have open and general discussion before deciding on such suggestions. The decision shall be taken by secret ballot if difference of opinion is found.

The quorum of house shall be of 2/3rd majority of the members of Association on roll and no amendment shall be allowed unless it is passed by 2/3rd majority of members present in the meeting. The decision of the house by written resolution signed by members shall be implemented in the constitution forthwith.

16. FORMING OF OTHER COMMITTEE:

a) The Executive committee may form committees consisting of members not exceeding five subject to the minimum of three, for the purpose of maintaining discipline, to give finding in an enquiry initiated on any complaint, for taking accounts or for any other matter which will facilitate for taking any decision by the General Body.

The report of the Committee will be read in the general meeting for its approval.

b) Powers & Functions of Committee:

The Committees shall have all powers to summon any member or staff as witness and record evidence on the principles provided in C.P.C. and Evidence Act as far as possible. In case any member disobeys the instructions/order/resolution of the committee the same will tantamount to misconduct for the purpose as contained in the constitution.

17. LIBRARY RULES:

a) No person except the member of the Association shall be allowed to

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LIBRARY RULES:

a) No person except the member of the Association shall be allowed to

the use of the library.

b) No member shall be permitted to take the library books out of station without the written permission of the librarian or in his absence the Secretary of the Association.

c) There shall be a regular register in which all the books of the library already purchased or to be purchased shall be entered from time to time by the librarian or clerk.

d) No member shall be allowed to remove the Digests or the Acts of the legislature out of the library room without the permission of the librarian or in his absence the Secretary of the Association and that too only for the day.

e) No member shall lend to or obtain any book from the library for any non member or member not entitled to the use of the library.

f) There shall be a register maintained in which the book removed from the library by any member of the Association shall be entered under the clear signature of the members or his registered clerk. The said member or his clerk shall also sign the entry in the register when returning the book or books and note the date of returning the book or books.

g) There shall be a charge of Rs. 1/- per day per book removed out of the library for use in any court. The member concerned or his clerk shall write in register the amount of payment made by him at the time of returning the book.

h) No member shall be entitled to keep the book or books of the library for more than three days, after which period the charge will be Rs. 5/- per day per book. The maximum period for which a member can retain book or books shall not exceed 7 days in any case when the member shall have to return the book.

i) Any member who fails to return the book or books of the library shall be liable to pay its current price or any such price of damage which the Executive Committee deem fit under the circumstances, of the case.

j) Any member who makes a breach of rule no. 17 (h) (i) above shall not be entitled to the use of the library so long as he does not comply with rule 17 (h) (i).

k) Any dues against a member in connection with the library shall be realizable from him as if they were part and parcel or arrears of monthly subscription standing against his name.

l) The librarian shall check the register of library after every 7 days and shall bring to the notice of the Secretary or the President the case or cases of breach of library rules by any member or members of Association from time to time.

m) All new books shall be purchased or subscribed only by the Executive committee and the order for purchase shall be passed by secretary on the direction of the Executive committee.

n) All amount recovered under this para shall be deposited with the treasurer by the librarian or employee under receipt in the library register itself.

18. CANTEEN & PHOTOSTATE/COMPUTER FACILITIES RULES:

A) That the Association runs a canteen in the canteen room on cooperative basis for providing refreshment, snacks, food articles, and fruits, fruits chats, cold and hot drinks and juice etc. for lawyers and litigants.

B) That the Association further provide facilities for photostate/Computerisation of documents and law books for poor litigants, lawyers and courts, on cooperative basis.

C) That in order to provide the facilities mentioned in sub para A & B to the litigant and lawyers and courts a committee shall be constituted of 3 members of executive committee.

D) That the committee constituted under sub clause (C) shall auction the Canteen and Photostate/Computer facilities on licence for at least one year, with the following terms and conditions :-

i) That the committee shall accept the auction of highest offer/bid.

ii) That the bidders must deposit Rs. 200/- prior to the auction which shall be adjusted in the account of highest bidder and the others shall be entitled to full refund. If the highest bidder refused to accept the bid, his deposit shall forfeit and fresh auction will be made.

iii) That the highest bidder shall pay deposit 1/3rd amount of the auction money forthwith the treasurer under receipt and counter signed by the President on the approval of committee and the balance amount in 12 (twelve) equal instalments to be paid in 1st week of every month in the manner laid down herein before.

iv) That the licensee shall keep the canteen neat and clean, shall provide

the eatables and beverages at a reasonable price and shall provide sitting and other facilities to the lawyers and litigant. The committee may further direct/suggest to provide reasonable eatables and beverages and fruit juice etc. and the licensee shall be bound by it. The committee shall supervise the function of the canteen to the best of its ability.

v) The licensee shall display the price items of eatables and beverages at a reasonable manner and the committee may suggest the reasonable price if need arises.

vi) That the licensee shall provide the eatables, juice, cold drink and tea and coffee etc. by sale of coupons to the customers and no customers inclusive the lawyers and employees can force the contractor to supply the eatables, juice, cold drink and tea and coffee etc. before purchase of coupons.

E) That the licensee shall not keep any alcoholic and toxic goods or drinks or other eatables or any other items injurious to the health of consumers.

F) That the licensee to provide photostate and computerized copies of documents shall be entitled to keep maximum two photostate machines and two computer for his working, out of which one shall be installed in the library and the other at a place fixed by the Executive Committee.

G) That out of the amount realised under this clause, 1/3 (one third) amount realised on acceptance of auction or there after shall be deposited in fixed deposite in Nationalized Bank or Post Office for the welfare of the lawyers for a period of at least three years and shall be renewed there after except the amount of interest accrued thereon.

H) That the amount of interest shall be deposited in a separte account known as "Lawyers Welfare Account" in the name of the Association, either in the Post Office or Nationalised Bank other then general a/c of the Association.

I) That a ticket of Rs. 5/- shall be affixed on each power of attorney (Vakalatnama) by the litigant. This fund will be deposited in Lawyers Welfare Account.

J) That there shall be a group insurance scheme for the members of Association and the premium will be deposited by the Association from the Lawyers Welfare fund.

K) That in case of financial hardship to any lawyers due to serious disease

or death of the lawyer of his or her legal representative may apply for any grant to the executive committee, the executive committee may consider and sanction the grant by majority of members of executive committee to the maximum of Rs. 5000/- or such other sum fixed by the general body, which shall be payable through cross demand draft or cross cheque. The same applicant shall not be entitled to the grant for further three years, however the legal representative may apply there after.

L) That in case the amount of interest or other amount deposited in the Welfare account accumulates beyond expectation, the general body may provide pension benefits to a lawyer retired at the age of sixty five years.

M) That the provision contained in sub clause (G) to (K) shall not be amended except with the approval of 2/3 majority of members of the Association present and with 2/3 majority of votes present in the meetings.

N) The Executive Committee may with consent and approval of the general body may start any other welfare scheme for litigant and lawyers.

Approved with unanimity of the committee appointed by General House of the District Bar Association, Narnaul. It shall come into force from 1st April 2004.

President :

Sh. Surender Kumar Sanghi
(Advocate)

Members :

Sh. Narender Singh Yadav
Sh. Prem Nath Gupta
Sh. Bhagwan Dass Sanghi
Sh. Rakesh Kumar Mehta
(Advocates)