



CONSTITUTION

2013-14

ESTD. 1972

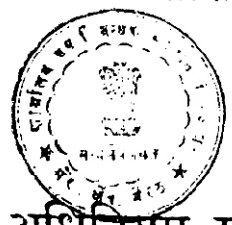
संख्या 3529 पत्रावली सं०-1 - 44083(m) दिनांक 05/12/03



सोसाइटी-रजिस्ट्रीकरण

का

प्रमाण-पत्र



(अधिनियम संख्या 21,1860 के अधीन)

संख्या 1006 2003 2004

एतद्वारा प्रमाणित किया जाता है कि मेरठ टैक्स वार एसोसिएशन मेरठ, ट्रेड टैक्स आफिस बिल्डिंग चण्ड निगम कम्पाउण्ड, मेरठ राहदर-250002 को आज उत्तर प्रदेश में अपनी एक्टिविटी के संबंध में यथावशाहित सोसाइटीज रजिस्ट्रेशन अधिनियम 1860 ई० के अधीन सम्यक् रूप से रजिस्ट्रीकृत किया गया है। यह प्रमाण-पत्र 05-12-2003 तक विधिमान्य होगा।

आज दिनांक 05 दिसम्बर दो हजार तीन को मेरे हस्ताक्षर से दिया गया।

[Signature]
सोसाइटी के रजिस्ट्रार,
उत्तर प्रदेश।

MEERUT TAX BAR ASSOCIATION MEERUT

CONSTITUTION

MEMORANDUM OF ASSOCIATION
OF MEERUT TAX BAR ASSOCIATION, MEERUT

With a view to promote the unity amongst the Commercial Tax Advocates and to ventilate the grievances that may crop up from time to time and in order to promote the knowledge of Commercial Tax Laws and allied laws, by arranging Meetings, Seminars etc. and in the general interest of the Profession, it is deemed expedient to form an association.

In furtherance to this object the members of Meerut Tax Bar Association Meerut have approved unanimously and given to themselves this constitution originally drafted on 15th day of April, 2006 and subsequently amended on 26.11.2013.

1. Name and Commencement

1. (i) The name of the Association shall be Meerut Tax Bar Association, District Meerut and the Constitution and Rules adopted by it shall be called the Constitution & Rules of the Meerut Tax Bar Association, District

Meerut.

- (ii) They shall come into force from the 1st day of April, 2006 and shall be got registered with the Registrar of Societies & Chits of the State within three months.

Registration

2. (i) The Meerut Tax Bar Association, Meerut, herein after called The "Association" is a Society registered with the Dy. Registrar of Finns, Societies & Chits D.P., at Meerut at Registration No. 1006 of 2003-04 (under the Societies Registration Act (XXI of 1860)) and shall consist of all those Advocates who have signed its Memorandum of Association & Rules and all other Advocates who have become and will become Members of the Association by or under these Rules continue to be its Members.
- (ii) The Association shall have perpetual succession and shall sue and be sued by its name through its "General Secretary" or through such other person as may be authorized by Executive Body of this Association and ratified by the General Body.

Address

3. The registered office of the Association shall be at

The Commercial Tax office Building, IIIrd Floor, Mangal Pandey Nagar, University Road, Meerut City -250004.

Aims and Objects

4. The following are the aims and objects of the Association:-
- (a) To promote unity and create a spirit of fellow feeling amongst the members of the Association.
 - (b) To protect and maintain the morale, the honour and the dignity of the profession.
 - (c) To provide and maintain a common room, a library and a reading room for the use and benefit of the members of Association.
 - (d) To look after and protect the interest of Commercial Tax/G.S.T. payers in general and of its members in particular.
 - (e) To take necessary steps, to provide, secure and procure for its members all possible conveniences and facilities, advantages, special privileges, due consideration and regard from the authorities directly or indirectly dealing with the Commercial Tax/G.S.T. matters as may seem expedient and beneficial for the objects of the said Association.
 - (f) To do all such other lawful acts as may be beneficial, or

conductive to the attainment of the objects above mentioned or any of them.

- (g) To provide a common and a permanent Forum for the Advocates practicing in Commercial Tax/G.S.T.
- (h) To unite the Commercial Tax/G.S.T. Advocates practicing in the District of Meerut into a common and permanent body.
- (j) To assist in development and the formation of sound and practical enactment and rules relating to Commercial Tax laws/G.S.T laws.
- (k) To advice and educate public towards the due observance of Commercial Tax/G.S.T. Laws and Rules.
- (l) To raise the standards of advocacy, efficiency, effectiveness and professional ethics.
- (m) To provide free legal aid to the helpless section of our society and seeking and securing appropriate and adequate relief in Courts and from other authorities.
- (n) To organize conferences, seminars, debates and other study meetings from time to time for the advancement of this Association and for the betterment of the profession as a whole.
- (o) To organize social gatherings of the members of this

Association for betterment as a whole.

- (p) To help the members of the Association in the hour of need.
- (q) To publish journals and other periodicals dealing with legal and current topics, and to organize meetings for eliciting opinions of the public and the members on taxation and other allied fiscal matters.
- (r) To own movable or immovable properties and to dispose-off the same in furtherance of the aims and objects of the Association.
- (s) To get affiliation with the 'State Tax Bar Association and Bar Council of State & India which are permanent and Parent Body of the Tax Advocates in the State, and of Advocates in general.
- (t) To raise funds by donations and subscriptions from the members of the Association or public bodies and individuals, by publishing the Souvenirs, Magazines and Periodicals.
- (u) To do any or all things that may be necessary, incidental or conducive to the achievement or furtherance of the objects of the Association.

We the undersigned in pursuance with the above

Memorandum of Association desire to adopt a New Constitution by replacing the existing constitution got registered in the year 2003, under the Societies Registration Act (XXI of 1860), now duly approved by General Body of the Association in its Meeting held at Meerut on dated 27.03.2006 called specifically for this purpose alone, which is reproduced herein as under:-

S.No.	Name & Father's Name	Address	Designation	Profession	Signature
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Dated:

Place : Meerut

RULES AND REGULATIONS

Name

1. The Association shall be called "Meerut Tax Bar Association, Meerut".

Address

2. The registered office of the Association shall be at The Commercial Tax Office Building, IIIrd Floor, Mangal Pandey Nagar, University Road, Meerut City-250004 or at any other place or places within Tehsil and District Meerut.

The Area of Operation

3. The area of working of the Association shall be specially in District Meerut and generally within the territory of India.

Definitions:-

4. (a) **ASSOCIATION**: The Association shall mean "Meerut Tax Bar Association, Meerut".
(b) **MEMBER**: A Member shall mean an Advocate practicing as a Commercial Tax/G.S.T. Advocate at Meerut.
(c) **GENERAL BODY**: All members on the Roll of Members of the Association and eligible to vote shall constitute the General Body of the Association.

- (d) **EXECUTIVE COMMITTEE:** Executive Committee shall mean the Committee elected by the General Body under the rules of this constitution for day-to-day management and affairs of the Association.
- (e) **OFFICE BEARERS:** The President, Vice-President, General Secretary, Joint Secretaries and Treasurer shall be the office bearers of the Association.
- (f) **ACCOUNTING YEAR:** The Association shall follow the Financial Year commencing from 1st day of May every year and ending on 30th April of the following year, as its official accounting year.

Classes of Membership.

- 5. The Association shall have the following classes of members:-
 - (a) **Honorary Member:** Being or having been a member of the legal profession who because of distinguished achievement or service to the cause of law or the legal profession, has been admitted, by the Association as an honorary member.
 - (b) **Life Member:** An Advocate on the roll of the Advocates regularly practicing in that court by payment of an amount to be fixed by the General Body, which will

provide income by way of interest equivalent to the membership fee payable by ordinary member, may become life member of that Association.

- c) **Ordinary Member**: Being an Advocate on the Rolls of the Concerned Court regularly practicing in that Court and who has been admitted by the Executive Committee under Rules as ordinary or is such a member under these rules.

Note: All the applicants shall have to declare that they are the members of Bar Council of India Advocates Welfare Fund Rule 40.

Register of Members

6. The Executive Committee shall cause to be prepared and maintain a Register of members of the association and shall for the purposes of Rule 5 classify all those who have become members under such Rule.

Admission of Members

7. (a) Any person enrolled as an Advocate with the Bar Council of Uttar Pradesh / other Bar Council wishing to become an ordinary / life member may apply in writing to the General Secretary of the Association for admission by an application signed by him and bearing

the signature of at least two ordinary members of the Association as Proposer and Secunder, having five years of ordinary membership of that Association.

- (b) Such persons shall be entitled to hold the ordinary membership/life membership of only one Association i.e. the Association of the court wherein he is actively and regularly practicing. However, he can become non-resident and honorary member of other Associations.
- (c) Such Advocates shall file an affidavit bearing his photograph mentioning his Registration Number and Photostat copy of the Registration Certificate declaring on oath that he is neither at present or in future intend to become ordinary member/life member of any other Association in the state of Uttar Pradesh.
- (d) The General Secretary of the Bar Association shall prepare the Roll of the Advocates regularly practicing in that court duly approved by the Executive Committee, who alone will be entitled to be the ordinary member of that Association.
- (e) The General Secretary shall finalize the Roll of the Advocates and place it before the Executive Committee after displaying the same on the notice board for ten days and inviting objections.

- (f) In case more than twenty members object on any name included in the Roll of the Advocates the same be placed for consideration before the General Body and its decision shall be final.
- (g) No person other than the one who is on the State Roll of Bar Council will be eligible to become ordinary/life member of that Association.
- (h) A member for the purposes of obtaining the ordinary or life membership of the Association shall have to adhere the procedure prescribed for enrolment of ordinary member.
- i) The advocate applying for membership will have to pay the admission fee as well as the member fee as decided by the respective Association.

Elders Committee

- 8. There shall be an Elders' Committee of each association consisting of 5 (five) senior most members of the Association actively practicing in that court:-
 - (a) So far as the District Court is concerned the seniority of the members of the Elders Committee will be determined taking into account the date of enrolment as an Advocate by the Bar Council and having at least

rendered 10 years regular practice in that court and continuing as regular practitioner of that Court.

- (b) Senior most member of the Elders' Committee will be the Chairman.

Order on the Application

The General Secretary of the Association shall place the application on the notice Board for 10 days inviting objections of other ordinary/life members of the Association and shall place the application as well as the objections, if received any, before the Elders' Committee who will approve or reject the application form in the light of provision in the rule. Once application for memberships having been rejected, he shall not be entitled to apply again for the membership for a period of 2 (two) years from the date of rejection of the application.

Application for Ordinary Membership

10. Any person, who has been admitted as ordinary member by the Executive Committee shall from the date of admission be entitled to all the privileges of membership, but he shall have no right of vote at meetings of the Association until he has paid admission fee in full and has further continued as such for 2 (two) years.

Forfeiture of Admission Fee

11. If the admission fee has not been paid within the period of prescribed time under Rule 10 or within such further period as the Executive Committee might allow, the person in such arrears shall cease to be a member of the Association and the portion of the admission fee paid by him shall be forfeited by the Association and shall in no case be refundable.

Subscription by Resident Members

12. (a) Any Commercial Tax/G.S.T. Advocate practicing in Meerut may apply in a prescribed form to the General Secretary of the Association for ordinary membership and shall have to pay a sum of Rs. 1000/- (Rupees One Thousand Only) towards the admission fee.
- (b) The annual subscription of ordinary membership of the Meerut Tax Bar Association shall be Rs. 1600/- (Rupees One Thousand Six Hundred Only) per year, payable half yearly in equal installments before the each half year. However, in case the annual subscription is paid in advance i.e. within one month from the start of the F.Y. of the Association, the concerned member shall be entitled to get rebate of Rs. 100/-. Any special levy can also be imposed both by the Executive Body and the General Body as well and it shall be treated as part &

parcel of subscription for all purposes.

- (c) The life member of the Association shall have to pay consolidated subscription of Rs. 50,000/- (Rupees Fifty Thousand Only) and thereafter he will not have to pay any amount towards subscription. However, he will have to pay special levy, if imposed, by the Executive Body or the General Body of the Association from time to time.

Arrears of Subscription

13. Any member whose subscription is in arrears for six months, his name shall be notified on notice board by the General Secretary of the Association, to pay the same within 1 (one) month from the date of the notice issued. If such member fails to pay the arrears within that time, he shall forthwith cease to be a Member of the Association on the conclusion of 7th (seventh) month. On payment of the amount arrears and on his applying for re-admissions within one month from the date of his ceasing to be a member, the Executive Body may admit him to membership without the payment of a fresh admission fee, otherwise his membership will be forfeited.

Remission of Subscription during Absence from District

14. An ordinary member who intends to be absent from practice

in the court concerned for a continuous period of not less than six calendar months shall on giving an advance notice in writing to the Secretary, be permitted during the period of such continuous absence, to pay the monthly subscription prescribed for a non-resident member. However, such privilege will be available to an ordinary member only once in five years.

OFFICE BEARERS

15. The Association shall have the following office bearers who shall be elected every year in the Annual General Meeting:-
- (a) A President
 - (b) A Vice-President
 - (c) A General Secretary
 - (d) A Treasurer
 - (e) Two Joint Secretaries, one of whom shall be in-charge of Administration & Library and a second-in-charge of the Publication & Social Activities.
 - (f) 12 (Twelve) Members Executive Committed Body
 - (g) An Auditor

Executive Council

16. The affairs of the Association shall be managed and its entire

business including the investment of its funds shall be conducted by and under the control of Executive Council consisting of:-

- (a) Office bearers elected under Rule 15.
 - (b) The immediate past President & Secretary of the Association shall be Ex-Officio Members of the Executive Committee and shall have power to vote.
17. (a) President - An ordinary member having rendered at least 25 (Twenty Five) years of regular and active practice in that court.
- (b) Vice President - An ordinary member having rendered at least 20 (Twenty) years of regular and active practice in that court.
 - (c) General Secretary - An ordinary member having rendered more than 10 (Ten) years of regular and active practice in that court.
 - (d) Treasurer - An ordinary member having rendered more than 08 (Eight) years of regular and active practice in that court.
 - (e) Two Joint Secretaries - An ordinary member having rendered more than 5 (Five) years of regular and active practice in that court.

- (f) Executive Body - 6 (six) ordinary members having rendered above 15 (Fifteen) years and 6 (Six) ordinary members below 15 (Fifteen) years of regular and active practice in that court.

If for any reason, there is no contestant on any particular post, the same will be filled up by the Executive/Committee/Executive Council elected, within a month from the date of election.

Terms of Office

18. The office bearers of the Association and Members of the Executive Committee shall hold the office till the completion of one year from the date of their election. However, in extraordinary circumstances they may continue for a further period of 1 (one) month with the prior approval of Elders Committee for the reason to be recorded within which they will get the election completed failing which the administration of the Association will vest in the Elders Committee, who will hold the election at their earliest as per bye-laws preferably within another 1 (one) month.

Functions of the Executive Body

19. The Executive Body shall, subject to the provisions of Rule 20:

- (a) be responsible for the safe custody of the property and assets of the Association and the proper investment of its funds;
- (b) make arrangements for the maintenance and up-keep of the library and its proper use by the members;
- (c) control the use of the accommodation available to the Association;
- (d) frame the Annual Budget of the Association and control expenditure in accordance with the Budget;
- (e) call the Annual General Meeting and other meeting of the Association;
- (f) frame bye-laws for carrying out the objects and activities of the Association;
- (g) do all other acts necessary for the fulfilling of the objects of the Association;
- (h) Appointment, promotion, leave and dismissal of the servant of the Association and deciding disciplinary and other matters effecting them on the recommendation of the General Secretary.

Provided that the Executive Body may delegate any of its function or any specific work to any sub-committee,

appointed by it or by the Association, or to any other member.

Limitation and the Power of the Executive Body

20. The Executive Body shall not have the power without the previous sanction of the General Body of the Association:-
- (a) to spend any sum out of the fixed deposits of the Association;
 - (b) to express any opinion on behalf of the Association on any controversial matters affecting the interest of the legal profession; and
 - (c) to decide any matter which in the opinion of 25 or more members of the Executive Committee, should be referred for the decision of the Association.

Functions of the President

21. The President of the Association shall:-
- (a) preside and conduct at all meetings of the Association and Executive Committee;
 - (b) the President shall be responsible for the proper functioning of the various bearers of the Association.
 - (c) give the casting vote in case of equality of votes at any meeting of the Association or the Executive Committee.

- (d) represent the Association whenever a formal representation is necessary; and
- (e) perform such other functions as might be required by the Rules or the bye-laws of the Association.

Functions of the Vice-President

22. The Vice-President of the Association shall:-

- (a) perform the functions of the President, in absence of the President or is not available, provided that the right to preside at meeting of the Association or the Executive Body shall belong to the Vice-President present.
- (b) perform such other functions as may be required to perform by Rules of the bye-laws of the Association.

Functions of the General Secretary

23. The General Secretary shall be the Chief Executive Officer of the Association and it shall be his duty to give effect to the resolutions of the Association and of the Executive Committee. Subject to such directions or limitations as may be contained in the Rules or in the resolution of the Association or of the Executive Committee, he shall have the power of:-

- (a) Spending the funds of the Association in according with

the Budget, in paying the salaries of the servants, in purchasing books, furniture and materials for the printing press and for other purposes connected with the management of the Association, the cause list and the - Library, in accordance with the directions of Executive Committee and for this purpose to operate upon the Bank Accounts of the Association alongwith President/Treasurer.

- (b) Spending a sum not exceeding Rs. 1,000/- in any year for extraordinary and emergent purposes of the Association without the previous sanction of the Executive Committee.
- (c) Keeping and maintenance of the accounts and minutes of the meetings of the Association and of the Executive Committee.
- (d) Investment of funds of the Association in current or in fixed deposit in any Scheduled Bank, approved by the Executive Committee, withdrawal of the deposits from time to time and to utilize and spend them for the purposes of the Association and to deal with Government and other securities on behalf of the Association in accordance with the directions of the Executive Committee.

- (e) Supervising generally working of the Joint Secretaries and the Treasurer of the Association on and other various activities of the Association; and
- (f) Performing such other functions as he might be required to perform by the Rules or the bye-laws of the Association.

Functions of the Joint Secretaries

24. The Joint Secretary In-charge of administration shall assist the General Secretary in discharge of his duties. In the absence of the General Secretary, the Joint Secretary (Administration) shall act for him in all matters that calls for an immediate disposal.

The Joint Secretary In-charge of the Library shall, under the general supervision of the General Secretary, be responsible:-

- (a) for the maintenance of the Library of the Association.
- (b) for the purchase of books for the Library.
- (c) for checking to the proper use and preservation of the Library and the use and the return of books; and
- (d) for performing such other functions as might be delegated to him by the Secretary.

- (e) For publication of Journals, members Directory and to make necessary arrangements for arranging various meetings and social activities of the Association from time to time.

Functions of the Treasurer

25. The Treasurer shall be responsible for:-

- (a) checking the income and expenditure of the Association;
- (b) preparing the annual Budget of the Association for its being placed before the Executive Committee;
- (c) for seeing that all expenditure is in accordance with the Budget, the Rules and the bye-laws.
- (d) for advising the Executive Committee on all matters relating to financial policy;
- (e) for performing such other functions as might be assigned to him by the Executive Committee;
- (f) the Treasurer shall operate Banks and other financial accounts alongwith the President and the General Secretary and shall furnish complete details of financial position of the Association to the Secretary of the Association alongwith Book of Accounts and Bank Pass Book as and when desired by him;

- (g) shall publish on the notice board the quarterly, expenditure by the end of third month.

Annual General Meeting

26. The Annual General Meeting of the ordinary members of the Association shall be held every year on a date fixed by the Executive Committee at least a month before expiry of the term of the office bearers. However, the election shall be held upto 15th May.

Business at the Annual General Meeting

27. The Annual General Meetings of the Association shall:-
- (a) fix a date for electing office bearers and other members of the Executive Committee from amongst its ordinary/life Members;
 - (b) pass the audited annual accounts, the annual report and sanction the Budget for the year from the 15th of May to the 30th of April;
 - (c) adopt such resolution as might be brought forward for guiding the activities of the Association or its bodies; and
 - (d) appoint the auditor for the ensuing year.

Other General Meetings

28. The Executive Body, may at any time, convene a General Meeting of the ordinary members of the Association, and, in case of emergency, the President or the General Secretary may also convene such a General Meeting.

Extra-Ordinary Meeting

29. An extra-ordinary General Meeting of the ordinary members of the Association shall be convened by the President/ General Secretary at the requisition of 40 (Forty) ordinary members. Such requisition shall be in writing; addressed to the General Secretary and accompanied by a statement-

- (a) in case the extraordinary general meeting of the Association is not convened as per the requisition and the same is also not ruled out by the Executive Body, the requisition shall be entitled to convene the meeting to be presided over by one of the senior member of Elders Committee;
- (b) no decision will be taken to strike work in the Court by the Bar Association beyond a strike of one day, unless the decision is taken by majority of members present and voting by Secret Ballot in a General Body Meeting of participate in voting who are entitled to vote on that day according to Rules of the Association.

Notice of Meetings

30. Notice of Meetings of the Association shall be given, in manner provided by Rule 31, at least 7 clear days before the date fixed for the meeting. In case of emergency relating to subject which cannot be postponed for 7 days, a meeting other than Annual General Meeting may be called, in like manner but at such shorter notice as may be considered sufficient by the General Secretary, which will not be in any case less than 24 hours.
31. Notice of meeting shall be given by fixing up a notice alongwith the agenda on the Notice Boards of the Association and by circulating it in the various offices and courts to such members as are present or can be found, and after such fixation and circulation no meeting shall be cancelled in question on the ground of improper service or non-service of notice by any member or the insufficiency or impropriety of the time allowed or fixed by the notice.
32. Fifty ordinary members (including the office bearers) shall form a Quorum for the Annual General Meeting or Extra-Ordinary General Meeting of the Association and 100 (hundred) for a meeting under Rule 43.

Quorum Falling Short During a Meeting

33. (a) If at any time during the course of a meeting, the

attention of the person presiding is drawn to the fact that number of members present has fallen short of the quorum required, the person presiding, after ascertaining the truth of the facts, shall forthwith dissolve the meeting but any business already transacted shall be deemed to be validly transacted.

- (b) If a meeting has been adjourned for want of a quorum, no quorum shall be necessary for the next meeting held after the issue of the usual notice and with the same agenda provided that an extra-ordinary meeting of the Association called at the requisition of the members under Rule 32 above, shall not on the same requisition, be called a second time if it has been adjourned once for want of quorum.

Senior Most Member of the Elders Committee available may preside in the absence of the President and the Vice-President.

- (c) In the absence of the President or the Vice-president or Senior Member of the Elders Committee of the Association any Member present may be elected to preside at a meeting of the Association.

Questions to be Decided by a Majority of Votes

- 34. Except, as herein-after provided, all questions at the

meetings of the Association shall be decided by a majority of the votes of members present and voting. The participation of ordinary members will be recorded on the register in their eligible signature. The person presiding shall have a second or casting vote in case of tie. No voting by proxy shall be allowed.

Proceedings to be Recorded

35. The decisions arrived at a meeting shall be binding on all members of the Association. The General Secretary and the Joint Secretary shall keep a record of the proceedings of all the Meetings held under the provisions herein contained. Such record shall be open to inspection by Members of the Association only.

Quorum of the Executive Body

36. Ten members, of whom atleast three shall be those not holding an office, shall form the quorum of meeting of the Executive Body.
37. The Executive Body shall meet as often as may be necessary and all the provisions in these Rules relating to the meetings of the Association shall apply mutatis mutandis to such meetings of the Executive Body.

Funds of the Association

38. The fund of the association shall consist of - all sums received by or on behalf of the Association.

Property of the Association

39. The property of the Association shall consist:-

- (a) All property received or acquired by or on behalf of the Association. Acquisition Custody or Disposal of Funds and property of the Association.
- (b) All funds and properties of the Association shall be under the direct control and management of the Association and shall be acquired, maintained and disposed of in accordance with these Rules or bye-laws, in furtherance of the objects of the Association.
- (c) No member of the Association shall on ceasing to be a member of the Association, have any right to or claim upon any fund or property of the Association, or to the use of such property.

Accounts of the Association

42. (a) The Treasurer shall maintain kept an account of all receipts and disbursement made by or on behalf of the Association, during the year.

- (b) The Accounts shall be audited, once every year, by a qualified auditor, appointed by the Annual General Meeting or failing such appointment by any other General Meeting of the Association.
- (c) Audited Annual Accounts to be presented at the Annual General Meeting.
- (d) The account kept and audited in accordance with Rule-40 shall be submitted alongwith the Audit Report and the Budget, to the Annual General Meeting of the Association.
- (e) The accounts maintained by the Treasurer shall be handed over to the succeeding executive body within a week of completion of tenure.

Expulsion of Members

41. The Association may at a General Meeting specially convene for the purpose, of which 14 days notice has been given, by a resolution adopted by a majority of not less than two-thirds of the ordinary members of the Association present and voting by secret ballot expel an ordinary member on any of the following grounds:-
- (a) Professional misconduct;
 - (b) Conviction for an offence involving moral turpitude, or

- (c) Gross misconduct with office bearers or any member in the meeting of the Executive Committee or of the General Bar.

Provided that notice of the meeting shall be given to the member concerned and shall be entitled to be heard before any decision is taken by the Association.

Breach of Rules

- 42. Any member, of the Association who shall be guilty of continued infraction of the rules herein contained or of any bye-law made there under, shall be liable to expulsion by a vote of the majority of the members present at a General Meeting of the Association.

Bye-Laws

- 43. Subject to these Rules the Executive Body may, from time to time, frame bye-laws, for the purpose of carrying out the objects or regulating the activities of the Association. The bye-laws framed shall not be effective till they have been approved by the Bar Council.

Amendment to Rules

- 44. None of these Rules shall be altered or modified or rescinded nor shall any new rule be framed unless they have received the assent of two-thirds of the members present and voting,

by secret ballot, at a General Meeting convened for the purpose and be subject to approval by "Bar Council".

Procedure of Election

45. (a) The Annual General Meeting of the Association will be convened at least a month before the expiry of the terms of the office bearers for holding fresh Election.
- (b) The Elders Committee will act as Penal of the Returning Officer to hold Election and be entitled to include any other member of the Association, provided one is not contesting the Election and the result of the Election shall be declared in the meeting of the General Body so convened by the Elders Committee.
- (c) In order to meet the heavy burden of expenditure of the Bar Association, the Elders Committee will also fix security money for various posts, which shall not be refundable after the nomination is accepted and found valid. Only ordinary members, who have put in 2 years of continuous membership, will be entitled to vote and participate in the Election.
- (d) The person, who has held office, will not be entitled to contest the Elections in sequent. However, he can recontest after a gap of one year.

- (e) A new member can contest election only after completion of 1 (one) year from the date when he is given right to vote.

Dissolution

68. In the event of dissolution of this Association, the Funds/ Properties Assets will devolve upon any other association with similar aims and objects. The dissolution of the Association shall be done in accordance with Sec. 13 & 14 of the Societies Registration Act (XXI of) 1860.
49. The provision of the Societies Registration Act (XXI of) 1860 as amended from time to time shall be applicable in all the matters of {he Association.

(AVNEESH SHARMA)

President

(SANJAY SHARMA)

General Secretary

Place: Meerut

Place : Meerut

Date:

Date:

Notes:-

- I. The applicant shall file an affidavit while applying for membership that each & every details furnished by him are true to his personal knowledge and he undertakes to act as per bye-laws. False document on oath will be misconduct within the meaning of Section 35 of the Advocates Act.
- II. In relation to the Bar Association at District level as well as Tehsil level the qualifying year of the Office Bearers can be reduced, which will not be in any case more than 5 years that is subject to approval by the Bar Council.
- III. Any Resolution passed by any Bar Association in Contravention to the provisions of Bye-Laws, without the approval of the Bar Council of D.P. deemed to be void.
- IV. All such Bar Associations, who have not adopted the Bye-Laws and have not got registration from the Registrar of Societies and Chits within the period of 3 months from the receipt of the Bye-Laws will stand disaffiliated
- V. All those Advocates, who are not Members of the Bar Association affiliated to Bar Council of U.P. shall lose their right of availing the various beneficial/welfare schemes sponsored by the Bar Council of Uttar Pradesh.
- VI. Participation in the meeting of the Bar Association and

Election in violation of the various provisions of the Bye-Laws will hold the Election Officer, President and General Secretary of that Association liable to be "tried for any other misconduct under Section 35 of the Advocates Act, 1961.

VII. The aforesaid Bye-Laws was tentatively approved by the Bar, Council of U.P. vide Resolution No. 2389/05 in its meeting dated 09-01-2005 and after certain modification confirmed vide Resolution in the meeting dated 12-02-2005.

APPLICATION FOR ADMISSION AS MEMBER OF
THE BAR ASSOCIATION

1. THAT the Applicant wishes to become the "Member of the Bar Association as Ordinary/Non-Resident/Life Member.
2. THAT the Application of the Applicant has been proposed and seconded by continuing Ordinary Member of the Association for last 5 years.
3. THAT the Applicant neither applied nor intends to obtain the Ordinary Membership of any other Association than this.
4. THAT the Applicant is actively and regularly practicing in the Court, the Association of which he wishes to become the Member.
5. THAT the particulars of his enrolment with Bar Council of U.P. are given hereunder:-
 - (a) Name of the Applicant
 - (b) Father's and Mother's name of the Applicant.
 - (c) Permanent Address of the Applicant
 - (d) Local Address of the Applicant
 - (e) Registration Number with the Bar Council of U.P.
 - (f) Name of the Association, if any, of which he is an honorary or Non-Resident Member.

6. THAT the applicant's name finds place at Serial No.
on the Roll of the Advocates regularly practicing in the court
prepared the General Secretary of the Bar Association duly
approved by the Executive Committee.
7. THAT the applicant has not been convicted for any' offence
related to moral turpitude or is involved in any criminal case
pending under the provisions of the I.P.C./Cr. P.C.
8. THAT the applicant is not facing any trial before the Bar
Council of U.P. for professional misconduct/any other
misconduct under Section 35 of the Advocates Act, 1961 nor
has been convicted.
9. THAT the applicant has also read over and understood the
Rules governing the professional misconduct and etiquette
framed by the Bar Council of India provided by the Bar
Council of U.P. at the time of enrolment and undertakes to
adhere to it.
10. THAT the applicant is hereby submitting the Admission Fee
as well as undertakes to pay the Membership Subscription of
the Association regularly as and when it falls due and in case
his Membership dues exceeds for more than 3 months, I will
be deemed to have surrendered my Membership of the
Association and the same shall be deemed to have seized
after the conclusion of one month beyond 3 months unless

the dues are cleared.

11. THAT the applicant is a Member and has paid mandatory fees under the Bar Council of India Advocates Welfare Fund Rule 40 of the Bar Council of India Rules.
12. THAT the applicant has read over the BYE-LAWS framed by the Bar Council of U.P. and adopted by- the Bar Association and he undertakes to act as per the provisions of the Bye-Laws and in case of violation of any provisions the Bar Association will be entitled to cancel my Membership.
13. THAT the applicant further commits that in case of violation of any provision of Bye-Laws deliberately, he can be tried by the Bar Council of U.P. under Section 35 of the Advocates Act, 1961.
14. THAT the applicant has personally inquired and verified that the Bar Association for which he proposes for Membership is affiliated to the Bar Council of U.P. and has adopted and obtained registration as per the Model Bye -Laws provided by the Bar Council of Uttar Pradesh.
15. THAT the applicant declares that he has not obtained the Memberships of any other Association and in any case he is not availing voting right in any other Association to which otherwise he is entitled to be a Member under Bye-Laws.

16. THAT the applicant hereby declares that he has read over the Bye-Laws duly approved by the Bar Council and adopted by the Bar Association duly registered under the provisions of Societies Registration Act. The Registration No. 1006 of 2003-04 and undertakes that he will abide by such Rules and in case of violation face penal consequences.
17. THAT the applicant undertakes to intimate the President of the Bar Association Secretary Bar Council of UP. in case subsequent to the grant of the Membership of the Association if he is involved in any Criminal Case, wherein he has been convicted and in that case my Membership will be deemed to have been extinguished.

DECLARATION

THAT the Deponent is the Applicant named above and has given personal undertaking and hereby declares and swear on oath vide this Notary Affidavit that the averments in the Application has been made with conscious reading and understanding the same and in case of any violation of the provisions mentioned in the Application as well as the Bye-Laws framed by the Bar Council of D.P. He shall be deemed to have relinquished his Membership from the date of such discovery of violation and shall be liable to consequential action mentioned in the Bye Laws.

Note:- Due care has been taken in publishing the constitution however any mistake may kindly be ignored, in case of any dispute original constitution copy will prevail.