

RULES OF DELHI HIGH COURT BAR ASSOCIATION
Amendment w.e.f. 1.07.2010

- X-1.** The Proposer and the first Secunder have to be members of the Delhi High Court Bar Association of not less than ten years standing.
- ii. The other ten Seconders must also be members of Delhi High Court Bar Association with not less than five years standing.
- iii. The Proposer, first seconder and other 10 seconders are should not be in arrears of subscription or any other due towards the DHCBA.

X-2. The following documents shall be attached with the application form.

- (i) Admission Fee / Subscription as applicable by way of Cheque favouring "**Delhi High Court Bar Association**". In case of dishonour of cheque Rs.500/- will be levied as cheque bouncing charges.
- (ii) Certified photocopy of Bar Council Enrolment Certificate & Law Degree.
- (iii) Certified photocopy of Metric/High Secondary Certificate in proof of age and all documents must self attested.
- (iv) One photograph in robes.

X-3. Rule 2A may be inserted after Rule 2 in part 1 of Delhi High Court Bar Association Rules, as under:-

An Advocate who is practicing in Delhi but whose name is not on the Roll of Bar Council of Delhi, would be eligible to be the 'Associate Member' of the Delhi High Court Bar Association and would be entitled to all the facilities of the Association except that the shall have no right to participate, requisition or vote at the Annual General Meeting or any other General Meeting of the Association and also would not be vote or contest for any office of the Bar Association.

Provided however, the right of such Advocates who are already enrolled as members of Delhi High Court Bar Association, prior to the Resolution of the General Body dated 12.3.98, shall not be affected

and would continue to have a right to participate, requisition or vote at the Annual General Meeting or any other General Meeting and also would be entitled to vote or contest for any office of the Bar Association”.

Admission Form	-	Rs.250/-
Admission Fee - below 30 years	-	Rs.2500/-
Admission Fee - above 30 years	-	Rs.5000/-
Admission Fee - Senior Designated	-	Rs.10,000/-
Re-Admission Fee	-	Rs.5000/-

X-4. THE MONTHLY SUBSCRIPTION IS AS FOLLOWS:

Members below 5 years of practice	-	Rs.100/- per month
Members having 5-10 years of practice	-	Rs.150/- per month
Members having 10-20 years of practice	-	Rs.200/- per month
Members having 20-25 years of practice	-	Rs.250/- per month
Members above 25 years of practice	-	Rs.300/- per month
Designated Senior	-	Rs.1000/- per month
Cause list	-	Rs.300/- per month

X-5. It may be noted that for allotment of chamber in the Delhi High Court premises, a separate application form has to be deposited with the General Branch, Delhi High Court after obtaining membership of Delhi High Court Bar Association.

(D.K. Sharma)
Hony. Secretary

**GUIDELINES / MODALITIES FOR CONDUCTING / HOLDING
ELECTIONS TO THE EXECUTIVE COMMITTEE OF THE DELHI HIGH
COURT BAR ASSOCIATION TO BE FOLLOED PURSUANT TO THE
RESOLUTION OF THE EXECUTIVE COMMITTEE OF THE DHCBA
DATED 22.05.2003**

- 1.** All payments towards admission fee, monthly subscription, arrears etc. payable by any Member to Delhi High Court Bar Association will be made only by crossed cheques drawn by the concern members in favour of DHCBA.
- 2.** Every Advocate applying for Membership of the Association shall, if otherwise found eligible, be placed in the category of Associate Member for the minimum period of one year. Associate Members shall not be entitled to vote till they are placed in the category of "Members".
- 3.** Any Member who is in arrears of his / her dues towards the Bar for more than three months from date of declaration of schedule of the elections shall not be entitled to vote unless he /she clears the dues within 15 days from the date of declarations of schedule of elections.
- 4.** Every Member casting his / her vote must carry Identification Card issued by DHCBA and / or Bar Council of Delhi or any other proof of identification at the time of voting.
- 5(a).** A person desiring to contest for the post of President, Vice President & Hony. Secretary should respectively be a member of Delhi High Court for at least 25, 20, 15 years respectively.
- (b)** The members also deliberated that any person who has been a president of Delhi High Court for total number of 4 terms should not be eligible to contest for the said post. Sh. Ramesh Gupta, Sr. Advocate proposed that henceforth tenure of the Executive Committee should be two years and that the next elections should be held in the month of February / March.
- (c)** For post of Executive Member – 25 years standing, person should be a members of Delhi High Court Bar Association for 25 years.
- (d)** A member of Delhi Bar Council for 25 years. It was decided to amend the rules accordingly.

- 6.** Members contesting for the posts in the Elections of Executive Committee shall deposit the following amounts as a non-refundable fee:-

<u>S.No.</u>	<u>Posts</u>	<u>Rs.(Amt.)</u>
1.	For the post of President	: 40,000/-
2.	For the post of Vice-President	: 30,000/-
3.	For the post of Hony. Secretary	: 25,000/-
4.	For the post of Treasurer	: 20,000/-
5.	For the post of Joint Secretary	: 20,000/-
6.	For the post of Senior Member Executive	: 30,000/-
7.	For the post of Member Executive (25 years) Standing	: 20,000/-
8.	For the post of Lady Member Executive	: 10,000/-
9.	For the post of Member Executive	: 10,000/-

(D.K. Sharma)
Honorary Secretary

**THE DELHI HIGH COURT BAR ASSOCIATION
NEW DELHI**

I-A: Aims and Objects

The aims and objects of the Association are:

- (i)** To promote and project the privileges, rights, interests and prestige of the Association and its members and to promote unity and cooperation amongst advocates and other Association of Advocates;
- (ii)** To promote and maintain a high standard of professional conduct among members of the Bar;
- (iii)** To establish and maintain an adequate library for the use of members and to provide other facilities to them;
- (iv)** To watch the state of law, progress of legislation and administration of justice and to take such steps as may be necessary for their reforms;
- (v)** To express opinion on proposed legislation and other matters of interest of the Association and to make representations in respect thereof;
- (vi)** To take necessary steps to prevent abuse of law or maladministration of justice and to suggest remedies therefore;
- (vii)** To make representations from time to time to the authorities on matters affecting the Bar;
- (viii)** To promote, organise and participate in All-India and International Lawyers' Associations and activities connected therewith;
- (ix)** To take measures including founding and applying of funds for aid to deserving members of their families and its employees;
- (x)** To adopt all such measures as might be necessary or incidental to the carrying out of the aforesaid objects.
- (xi)** To administer schemes for social security and welfare of the members

1-B: Definitions

Unless the context indicates otherwise, the following words in these Rules shall mean:-

- (1) "Association"** means the "Delhi High Court Bar Association"
- (ii) "Committee"** means the "Executive Committee of the Association".
- (iii) "Member"** means a member of the Association and shall include an **"Associate Member"** as defined in Rule 2-A.
- (iv) "Clerk"** means a clerk in the employment of a member and registered as such with the Association
- (v) "Senior Member"** means an advocate who has been in practice for more than 15 years
- (vi) "Fund"** Means the Delhi High Court Bar Association Lawyers Social Security and Welfare fund.

**RULES OF THE DELHI HIGH COURT BAR ASSOCIATION
NEW DELHI**

PART-I- NAME & MEMBERSHIP

These rules may be called the Delhi High Court Bar Association Rules 1993, as amended up-to 27th May, 1993. _____ ?

NAME

1. The name of the Association shall be **“Delhi High Court Bar Association, New Delhi”**.

MEMBERSHIP

PERSON ELIGIBLE FOR MEMBERSHIP

2. Every Advocate who is a member of the Association on the date of coming into force these of Rules shall ipso facto be a member of the thereafter only such Advocate be eligible for membership of the Association whose name is borne on the rolls of the Bar Council of Delhi.
3. Every admission form should be proposed and seconded in the following manner:

3A.	Admission Form	-	Rs.250/-
	Admission Fee - below 30 years	-	Rs.2500/-
	Admission Fee - above 30 years	-	Rs.5000/-
	Admission Fee - Senior Designated	-	Rs.10,000/-
	Re-Admission Fee	-	Rs.5000/-

3B. Subscription for the Membership

Members below 5 years of practice	-	Rs.100/- per month
Members having 5-10 years of practice	-	Rs.150/- per month
Members having 10-20 years of practice	-	Rs.200/- per month
Members having 20-25 years of practice	-	Rs.250/- per month
Members above 25 years of practice	-	Rs.300/- per month
Designated Senior	-	Rs.1000/- per month
Cause list	-	Rs.300/- per month

4. The name, residence and place of business of the candidate for membership and the names of the members proposing and seconding him respectively shall be entered in a Ballot Book to be maintained by the Secretary for the purpose. The Ballot Book shall be placed in a conspicuous place in the Bar Room next to a locked Ballot Box for a period of 14 days, during which period the Ballot shall be kept open on all working days, between the hours of 10.00 a.m. and 4.00 p.m. Every member of the Association desiring to vote at such ballot, shall enter his name on the page of the Ballot Book in which the particulars relating to the said candidate are entered and shall at the same time, place a Ballot Paper in the compartment of the Ballot Box allotted to the candidate.

(a) The Ballot Box, before it is locked and placed in position, shall be inspected by the Secretary and at least two other members of the Committee to see that it is empty and in proper condition.

(b) On the expiry of 14 days from the date of such proposal, the Ballot Box shall be opened by the Secretary in the presence of not less than two other members of the Executive Committee.

(c) If on opening the box, the number of votes recorded in the Ballot Book does not tally with the number of ballot papers found in the Ballot Box, or the number of votes recorded is less than ten, the Ballot shall be declared void and the Secretary and the members shall make a record of the same in the Register. A new Ballot may, if the proposer and seconder so desire, be held and the procedure in sub-rule (a) and (b) shall again be followed.

(d) If, in the case of Ballot, adverse votes reach or exceed the proportion of one vote in every four votes, the candidate shall be declared as not eligible for membership and the Secretary and the members shall take a record of the same in the Register.

(e) No particular of any Ballot shall be disclosed. On opening the Ballot Box, the result shall be entered and the votes recorded on the page relating to the candidate in the Ballot book.

The entry made shall be either 'enrolled as member', 'not enrolled as member' or 'void', as the case may be, and shall be signed by the Secretary and the members of the Committees in whose presence the Ballot Box had been opened.

(f) The result of the Ballot, shall, if unfavourable, be notified by the Secretary to the proposer of the candidate and the deposit made by

him under rule 3 will be returned. If the Ballot be favourable, the candidate shall be informed by the Secretary accordingly.

PERIOD OF 3 MONTH TO EXPIRE BEFORE A SECOND APPLICATION CAN BE ENTERTAINED.

5. No person who has been declared as 'not enrolled' shall again be eligible for candidature for membership until after the expiry of 3 months from the date of such declaration.

BALLOT WHEN CLOSED

6. No Ballot shall be held during the long Vacations in any year.

HONY. MEMBERS

7. The Committee may, in their discretion for any sufficient reason to be recorded in writing, admit any person not practicing at the Bar to be Honorary Member of the Association. Such honorary members shall be exempted from the payment of fees and subscription and shall not be entitled to the Cause List and to vote in the management and affairs of the Association. Honorary members will be entitled to use the Library of the Association subject to the rules relating thereto.

JUDGES TO BE HONY. MEMBERS

8. Every Judge for the time being on the Bench of the High Court of Delhi shall be deemed To be an Honorary member of the Association.
9. A copy of the rules of the Association shall be supplied to every member on payment immediately upon his enrolment as member.

ENTRANCE FEES AND SUBSCRIPTION

ENTRANCE FEES-

10. The entrance fee of a candidate for admission to the Bar Association shall be Rs.2500/- if the candidate is below 30 years in age and the admission fee for other candidates shall be Rs.5000/- (as amended vide General Body resolution dated 01.07.2010). The candidate for membership of the Bar Association shall in addition as Member, pay subscription towards Delhi High Court Bar Association Lawyers' Social Security and Welfare Fund, hereinafter called the Fund, and shall be bound to pay the annual subscription in accordance with the Rules framed under the said Fund.

- 11.** For the purposes of these rules, a member who ordinarily resides in the Union Territory of Delhi is a residential member.

MONTHLY SUBSCRIPTION

- 12.** Every member of the Association of whatsoever description shall pay the subscription as may be fixed from time to time by the Executive Committee of the Association with the approval of the General House. The member shall also pay the subscription towards the fund in accordance with the Rules framed under the fund along with subscription.

Members below 5 years of practice	-	Rs.100/- per month
Members having 5-10 years of practice	-	Rs.150/- per month
Members having 10-20 years of practice	-	Rs.200/- per month
Members having 20-25 years of practice	-	Rs.250/- per month
Members above 25 years of practice	-	Rs.300/- per month
Designated Senior	-	Rs.1000/- per month
Cause list	-	Rs.300/- per month

- 13.** If any member defaults in the payment of monthly subscription and subscription as fixed under the fund for a period of three consecutive months and on receipt of a registered notice fails to pay within the prescribed period upto date arrears of all description as specified in the notice, his name shall be removed from the list of members of the Association and he shall be entitled to in accordance with the Rules of the Fund only to such refund as permissible under the Rules of the Fund. A member thus removed from the membership of the Association shall be eligible to the membership of the Association as a new member only on payment of entire arrears of subscription upto date in accordance with Rule 10.
- 14.** No member who is in arrears of subscription and contribution as aforesaid shall be entitled to the facilities of the Bar Association including the right to speak or right to propose vote at any meeting of the Association. He shall also not be entitled to supply of cause list. He shall not be eligible to stand for any elective office, nor for being nominated to any committee.
- 15.** The notice referred to in Rule 13 shall be sent by registered Acknowledgement Due Post or through the peon book at the address of the member, as recorded in the register of members of the Association. The notice shall be signed by the Honorary Secretary or under his authority by the office Superintendent of the Bar Association. No second notice shall be sent to the Member who is in

arrears. The notice shall be deemed to be served if sent at correct address of the member by registered A.D. Post.

- 16.** It shall be the duty of every member to inform in writing the office of the Association his present true and correct address, and any change of his address, within a period of 15 days of the change. In the event of any member not intimating the change of his address, his last recorded address in the register of the Association shall be deemed to the true and correct address.
- 17.** A member suspended from practice by any Bar Council shall ipso facto cease to be a member of the Association. Such member shall also not be entitled to the benefits of the Fund, except refund of the subscription paid by the member towards the Fund.

PART-II- MANAGEMENT

THE EXECUTIVE COMMITTEE & OFFICERS OF THE ASSOCIATION

- 18.** The affairs of the Association shall be, subject to these rules (and the general control of the members in General Meeting assembled) managed by an Executive Committee consisting of the President, Vice President, Honorary Secretary, Treasurer and other members as provided.
- 19.(a)** The President, Vice President, Honorary Secretary, Joint Secretary and Treasurer and 10 (ten) members of the Executive Committee shall be elected at the Annual General Meeting of the Members and the Executive Committee shall hold office for two years, provided that if and when their said term of office has expired and no election has taken place, the Executive Committee shall continue in office until such election takes place.
- (b)** The office bearers and the members of the Executive Committee of the Association shall be elected by secret ballot. No office bearer and member of the Executive Committee shall be eligible to hold same office for more than two consecutive years/terms.
- (C)** The outgoing President/ Secretary Shall be ex-officio members of the Executive Committee, but in case the outgoing President /Secretary contest the election for the same office is/ are not returned, they shall forfeit the right of being member of the Executive Committee.
- (D)(i).** A person desiring to contest for the post of President, Vice President & Hony. Secretary should respectively be a member of Delhi High Court for at least 25, 20, 15 years respectively.

- (ii) The members also deliberated that any person who has been a president of Delhi High Court for total number of 4 terms should not be eligible to contest for the said post. Sh. Ramesh Gupta, Sr. Advocate proposed that henceforth tenure of the Executive Committee should be two years and that the next elections should be held in the month of February / March.
 - (iii) For post of Executive Member – 25 years standing, person should be a members of Delhi High Court Bar Association for 25 years.
 - (iv) A member of Delhi Bar Council for 25 years. It was decided to amend the rules accordingly.
- 20.** Should the President be absent or office of President become vacant at any time, the Vice President shall act as President. The Executive Committee, may there upon elect one of its members of act as Vice- President until the President returns or another election takes place.
- 21.** Casual vacancies occurring amongst other office bearers of members of the Executive committee may be filled up by appointment made by Executive Committee. Every such appointment shall hold good until the next election is held.

QUORUM CASTING VOTE

- 22.** Seven members shall constitute quorum of the meeting of the Executive Committee. Each member shall have one vote. The decision of a majority of the members present at a meeting shall (except in any case in which these rules otherwise provide) be deemed to be the decision of the Executive Committee. In any case in which the votes for and against any motion are equal in number, the President of the meeting shall have a casting vote.

CHAIRMAN OF MEETING OF COMMITTEE

- 23.** The President and in his absence the Vice-President shall Preside at all meeting of the Executive Committee at which he is present. If neither the President nor the Vice-President be present at any meeting, the members of the Executive Committee present shall elect one from amongst themselves to be Chairman of the meeting, but the chairman shall not exercise casting vote.

RULES OF BUSINESS

24. The Executive Committee may from time to time make subsidiary rules consistent with these rules for the regulation of its own proceedings and the proceedings of all or any Sub Committee appointed by it and such rules may provide for the conduct of business by the Secretary and Treasurer and for regulating the duties of all or any of the office-bearers and servants of the Association and the manner in which the property, library, accounts and records of the Association are to be kept and maintained and may from time to time vary, add to or delete any rules so made.

MEETING OF COMMITTEE

25. The Committee shall ordinarily meet not less than once a month (except during the long vacation) for the dispatch of business.
26. The Executive Committee shall, subject to the control of members in General Meeting assembled, in addition to all other powers conferred upon them by these rules, have to:
- (i) Maintain such establishment of clerks and servants for the association as it may deem fit:
 - (ii) Appoint, suspend or dismiss any clerk or servant:
 - (iii) Determine and regulate the remuneration, duties and conditions of service of all such clerks or servants:
 - (iv) Expend within budget provision such moneys for the purpose of association as the Committee may deem fit:
 - (v) Administer the fund:

ANNUAL, SPECIAL AND URGENT GENERAL MEETINGS

- 27 In each year, Annual General Meeting shall be held on such date in the month of April or as the Executive Committee may determine. A Special General Meeting may be held whenever the President or the Executive Committee consider it desirable to convene it for the disposal of any business which these rules require to be transacted at a General Meeting or which the President of the Executive Committee may deem proper to lay before a General Meeting.

28 A special General Meeting shall be convened by the Executive Committee whenever a requisition for the same is made in the manner hereinafter provided:

(i) THE SPECIAL GENERAL MEETING- May be requisitioned in writing respect of a Resolution specified therein if the requisition is signed by not less than 10% of the total membership of the Bar Association or 250 Members, whichever is more. The requisition shall be made in writing stating concisely the nature of the business to be laid before the meeting and every motion proposed to be put of the General House.

EXPLANATION: Any member in arrear of disability because of the preceding rule shall not be eligible to sign the requisition for Special General Meeting and provided further the requisitions shall give their names and affix their signatures alongwith the serial number of membership as indicated in the current directory of the Members.

(ii) The Executive Committee shall within a fortnight of the receipt of any such requisition (if the same be found to be in order) convene a Special General Meeting for the disposal of the business mentioned therein. No business other than that entered in the requisition shall be considered at such a meeting.

(iii) URGENT GENERAL MEETING:- Should not less than 10% of the total membership of the Bar Association or 250 members of the Association whichever number is more deem it necessary to call an urgent General Meeting, they shall by a requisition duly signed and dated apply in the manner set out in (I) above to the Secretary to convene an Urgent Meeting and the Secretary shall on receipt of such a requisition call meeting, not later than 3 days from the receipt of such requisition. Provided that in the case of emergency the President or in his absence the Vice-President or in his absence the Secretary, or in the absence of the aforesaid office bearers, any two of the remaining members of the Executive Committee may further reduce the period of notice required under this Rule. No business other than that entered in the requisition shall be considered at such a meeting.

ANUUAL GENERAL REGULAR BUSINESS

- 29.** At the Annual General Meeting, the business for disposal shall, besides any other business which may be entered in the Agenda include:
- (i)** The passing of Accounts, Balance sheet and Budget Estimates:
 - (ii)** The election of office-bearers of the Association, other members of the Executive Committee and an Auditor.
- 30.** Not less than seven clear days (notice excluding the date of the issue of the notice) of every General Meeting shall be given to members except when emergent meeting as provided for in Rule 28 (iii), is convened.

Provided that the Executive Committee may call a Special General meeting by giving 2 days notice when it considers the calling of such a meeting necessary and provided also that such meeting shall not deal with matters relating to any questioning of the conduct or character of any member or his expulsion or relating to the addition, deletion or variation of these Rules and notwithstanding Rule 30 (a) no notice of such meeting need be sent to outstation members.

- (a)** Such Notice shall be given by:
 - (i)** Pasting the same in some conspicuous place in the Bar Room and
 - (ii)** Circulating the notice to such members as can conveniently be informed in that way:
 - (iii)** By circulating the notice alongwith Daily Cause List of the High Court.

Provided that when this rule has been substantially complied with, the non-receipt of notice by any member or members shall not render the proceedings of any meeting irregular or effect the validity of any resolution passed thereat.

PRESIDENT OR VICE-PRESIDENT OR CHAIRMAN TO PRESIDE

- 31.** The President shall take the chair at all General Meetings at which he is present. If he is absent and the Vice-President is present, the latter shall take the chair. In the absence of both, the members present shall choose one of their members to be the chairman of the meeting.

QUORUM ORDINARY OR SPECIAL

- 32.** Fifty members shall form a quorum at General or Special General Meeting or Urgent General Meeting.

PROCEDURE AT MEETINGS VOTING

- 33.** Every Member shall have one vote on every motion made at any General Meeting. All motion put to a General Meeting shall be determined by a majority of votes. Ordinarily, the voting shall be by show of hands, but it shall be by secret ballot, if demanded by any member present at the meeting. Provided that no resolution for the variation of or addition to or deleting of these rules or any of them shall be deemed to be carried unless not less than three-fourth of the members present shall vote for the same. Provided further no resolution calling in question the conduct and character or for expelling a member shall be put to vote except by secret ballot. If in the case of any motion determinable by a mere majority of votes, the votes for and against the same be equal in number, the President shall have a casting vote. No vote may be given by proxy. In the event of a secret ballot the meeting shall be adjourned for a period not more than 7 days to make arrangements for holding the secret

ballot. Procedure for holding the secret ballot shall as far as possible be the same as the procedure for holding annual general election.

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MINUTES OF PROCEEDINGS

- 34.** Minutes of the Proceedings of every General Meeting shall be recorded by the Secretary and signed by the President of the meeting and placed on record.

ORDER AT MEETING

- 35.** The President of every General Meeting shall have full authority to regulate the proceedings and maintain order thereat in such manner as he may deem fit.

SECRETARY CUSTODIAN OF PROPERTY

- 36.** The Honorary Secretary shall be the Custodian of the furniture, books, stationery and all other properties other than money and securities of the Association. He shall also be the Administrative Officer for administering the Fund.

DUTIES OF SECRETARY

- 37.** It shall be the duty of the Honorary Secretary to conduct under the direction of the President and the Control of the Committee the correspondence of the Association. Letters addressed by the Association to the Register of the High Court shall ordinarily issue in the name and under the signatures of the President or Vice-President or Honorary Secretary.

BOOKS & ACCOUNTS

- 38.** The Honorary Secretary shall be responsible for maintaining the following registers and books of account in such form and manner as the Committee may from time to time prescribe:
- 1.** A Register of the Books in the Library showing the value of each book, the amount annually written off from the value of books, the additions made, books lost, destroyed or sold and

the like. This register shall be placed before the Committee at least once every six months.

2. A similar register of the furniture and other properties of the Association.
 3. A catalogue of books in the library showing the classification and arrangement of the books in the library in a convenient form.
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4. Register of Books showing books issued from and returned to the library.
 5. A minute book of the proceedings of the Committee and all sub-committees thereof.
 6. Minutes Book of the proceedings at the General Meeting.
 7. A letter book containing copies of all letters issued.
 8. A letter book containing a note of all letters received.
 9. A subscription book.
 10. A Cash Book of income and expenditure.
 11. A ledger.
 12. A payment Advance Account.
 13. Counterfoil Receipt Book
 14. Suggestion Book
 15. A Complaint Book
 16. The total records of the Fund

The Hony. Secretary will approve all the bills.

TREASURES CUSTODIAN OF MONEY AND SECURITIES

39. The Treasurer shall have the custody of all monies and securities of the Association. All sums due to the Association shall be payable to and recoverable by the Treasurer. If any sum is realized or received

by the Honorary Secretary, it shall be forthwith made over by him to the Treasurer.

40. The Treasurer shall keep the money of the Association including the Fund in such Banks and in such manner as the Committee may from time to time direct and shall bring all moneys received into account immediately on the receipt thereof.

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The Committee may decide to invest in such Schemes as are recognized by the Govt. of India/ Reservation Bank of India like Unit Trust of India, Life Insurance Corporation, monies of the Fund and the Honorary Secretary and the Treasurer shall ensure the faithful implementation of the decision of the Executive Committee.

RECEIPTS

41. The Treasurer shall grant receipts for all amounts received and shall be responsible to see that books of accounts are properly and truthfully maintained.

PAYMENTS

42. All receipts of whatsoever description shall be paid into the Bank without delay and only drawn by means of cheques and all payments except those for petty expenditure under Rule 45 shall be made by cheques signed by the Honorary Secretary and the Treasurer. The Honorary Secretary and Treasurer shall be responsible to make payments by cheque to the beneficiaries of the fund.

VOUCHERS

43. Receipts for all payments made and signed by the payee shall be obtained and placed on record.

BILLS

44. A monthly statement of income and expenditure should be submitted to the Committee instead of bills which need not be produced unless specially called for. The Honorary Secretary shall also submit to the Executive Committee the monthly statement of the receipt and expenditures of the Fund.
45. An imprest not exceeding Rs.5000/- shall be made by the Treasurer to the Honorary Secretary to meet contingent current expenditure which the Treasurer shall periodically check and reimburse. Ordinarily, no payment exceeding such amounts as the Executive Committee may fix, be made except by payee cheque.

REVENUE ACCOUNT AND BALANCE SHEET BUDGET

46. Once a year in the month of April, the Treasurer shall submit a Balance Sheet of the affairs of the Association as on the 31st March of the previous year duly passed by the Auditor.

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47. The audited Revenue Account and Balance Sheet shall be laid before the Annual Meeting of members for approval.

AUDITORS

48. The accounts of the Association shall be audited at least once a year by an Auditor. The Auditor shall ordinarily be elected or appointed at the Annual General Meeting (any casual vacancy in the office of Auditor may be filled up by the Committee)

AUDIT OF ACCOUNTS

49. The Auditor shall examine the entire accounts of the Association and shall have access to accounts and vouchers at all responsible times throughout the year. The auditors shall also examine the accounts of the Fund and shall submit a separate and independent report and for this purpose separate auditors may be appointed for the accounts of the Association and for the accounts of the Fund.

BALANCE SHEET REVENUE ACCOUNT TO BE CHECKED

50. The Auditor shall check the Revenue Account and Balance Sheet and shall after making such comments thereon as he may deem proper countersign the same. The auditor shall submit annually in the month of January to the Committee a brief report on the state of the accounts. The Auditor's Report shall be laid before the Annual General Meeting with the Revenue Account and Balance Sheet. The Rule applies to the accounts of the Bar Association and also to the accounts of the Fund.

RULES FOR LIBRARY

51. The Committee may from time to time make subsidiary rules consistent with these rules for the management of the Library and the regulation of its use by members and vary, add to, or delete any rules so made.

PRIVATE CONVERSATION CONFIDENTIAL

- 52.** No publicity shall be given to any statements expression of opinion or conversation in any premises at any time occupied by the Association. Any member infringing this rule shall on proof there of be liable to have his name removed from membership.

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- 53.** If any Members at any time acts in a manner which is in breach of directions issued by the Committee occupied by the member or the Committee who may be present or may be reported by any member of the Association to the Committee who may take such action in regard to the same as they may think proper in the circumstances.

PART-III-PROFSSIONAL CONDUCT OF MEMBERS AND THEIR EMPLOYEES, PROHIBITION AS TO TAKING BRIEFS FROM CERTAIN PERSONS

- 54.** All the members of the Association shall strictly observe the code of Professional Conduct and attitude as is prescribed by the Bar Council of India under the provisions of the Advocates Act, 1961 and the Resolution of the Executive Committee/ General House, as the case may be touching professional conduct. Any violation of this Rule shall make members liable for expulsion from membership.
- 55.** All members shall ensure the Clerks employed by them hold identity cards issued by the Bar Association under the joint signatures of the Registrar of the High Court and the Honorary Secretary of the Bar Association. In case, it is found any such clerk is indulging in unprofessional and unethical conduct, his card shall stand forfeited and till the card is restored, he shall not be permitted to work as a clerk of the concerned or any member.
- 56.** The form of intimation to be given by a Member when engaging a clerk alongwith the particulars shall be in the manner prescribed by these Rules.

**PART-IV-POWER AND PROCEDURE IN
DEALING WITH MEMBERS**

ENQUIRY OF OFFENCES

- 57.** The Committee shall have power, either upon complaint or of its own motion to inquire into the conduct of any member or of any agent, servant or other employee of any member, so far as such conduct relates to any breach or supposed breach of these rules or to the professional conduct or honour of any member and for the purposes of any such inquiry, may do all acts and things which may be necessary or expedient to enable the committee to render such inquiry effective.

Provided that before the Committee shall take any action upon the result of such inquiry, the committee shall inform the member concerned or whose agent, servant or other employee is concerned, of the nature of charge and shall afford him a reasonable opportunity of tendering to the Committee his explanation, either personally or in writing and of submitting to the Committee any rebutting evidence which he may desire to produce before it.

COMMITTEE'S REPORT IN THE CASE OF MEMBERS

- 58.** If after such inquiry, the Committee shall be of opinion that a breach of any of these rules has been committed or permitted by any member or that any member has been guilty of unprofessional or dishonorable conduct, the Committee shall submit a report on the matter to a General Meeting for disposal.

Provided that the Committee may in any case in which they may deem proper so to do, before making such report afford the member concerned an opportunity of tendering his resignation.

COMMITTEE'S ACTION IN REGARD TO EMPLOYEES

- 59.** If after such inquiry, the Committee shall be opinion that any agent, servant or other employee of any member, has been quality of a breach of any of these rules, it may pass such order in the matter as they may deem proper in the circumstances and as may be in accordance with the provision of these rules.

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NOTICE OF GENERAL MEETING

- (a)** In every case submitted to a General Meeting under the preceding clause, the Committee shall give the member concerned at least 10 days notice in writing of the date, time and place at which the General Meeting will be held, and shall at the same time supply him with a copy of their report.

SERVICE OFNOTICE

- (b)** Every notice issued by the Committee under this Rule shall be sent by a registered letter addressed to such member at his ordinary place of business or last known address. Every notice so sent shall be deemed to have been duly served on the date on which letter would ordinarily be delivered in the ordinary course of postal delivery.

EXPULSION

- 60.** Any member may, after the provisions of Rules 57 and 58 have been complied with, be expelled from membership by resolution passed in General Meeting as provided in Rules 33 and 34.

CONSEQUENCE OF REMOVAL OF NAME OR EXPULSION

- 61.** The removal of any member from the roll of members or the expulsion of any member shall carry with it absolute forfeiture of donation, subscription and entrance fee paid by such member to the Association, provided that the Association shall be entitled to recover the arrears of subscription due from any members at the time of his removal or expulsion. The removed member shall receive back by cheque the subscription amount paid by such member to the fund.

CESSATION FROM MEMBERSHIP

- 62.** Any member whose name is removed from the roll of the Bar Council shall automatically cease to be members and his membership terminated without following the procedure for removal of member from the roll members of Association.

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- 63.** Every order or decision of the Committee affecting any member or any employee of any member shall be subject to appeal to a General Meeting by such member.
- (a)** Every such appeal shall be in writing and shall be signed by the member and delivered to the Secretary within 15 days of his becoming aware of the order or decision against which he desired to appeal.
- (b)** The Secretary shall without delay lay every appeal received under Sub Clause (a) above before the Committee, who shall thereupon convene a Special General Meeting for the purpose of disposing of such appeal within one month from the date of the receipt of the appeal by the Secretary unless the appellant agrees to or desires a longer date.

COMMUNICATIONS PRIVILEGED

- 64.** All communications made to the Committee or to the House and inquires held under the preceding rules, shall be deemed to be privileged.

PART-V-RULES

- 65.** These rules shall not be varied, added to or deleted otherwise than by a special resolution in that behalf passed at a General Meeting in the manner prescribed by Rule 33.

RULES TO BE PRINTED

- 66.** The rules of the Association may be printed and shall be brought and kept upto date by the Secretary.

**DELHI HIGH COURT BAR ASSOCIATION
STAFF, EMPLOYMENT, PAY, LEAVE AND
PROVIDENT FUND RULES**

1. These Rule may be called: Delhi High Court Bar Association, Staff Employment, Pay, Leave and Provident Fund Rules.

2. **STAFF**

(a) The staff may be consist of:

1. Office Administrator
2. Office Superintendent
3. Sr. Accountant
4. Jr. Accountant
5. Chief Librarian
6. Head Librarian
- 7 Librarian
8. Steno/Typist
9. Library Assistant
10. Clerk
11. Library Attendant
12. Daftry
13. Peons / Gardener
14. Sweeper

- (b) The staff shall appointed by the Executive Committee according to the needs or requirements of the Committee from time to time.

Continuing

SCALES OF PAY

3. The scale of pay shall not be below the Minimum Wages Act and shall be fixed by the Executive Committee from time to time considering the level of the wholesale price index.

BONUS

4. Bonus will be disbursed among the employees every year on occasion of Diwali. It will be increased by the approval of Hony.Secretary of Delhi High Court Bar Association.

ANNUAL INCREMENT SHALL BE GIVEN IN THE MONTH OF APRIL

LEAVE: Earned Leave:

5. Leave shall be earned by duty, but it cannot be claimed as of right. Leave may be granted to the employees at the discretion of the Committee as under:

21 Days leave with full pay for every 11 months service.

Provided that no employee shall earn such leave when the earned leave due amounts to 63 days.

CASUAL LEAVE

- 6.** All employees shall be entitled to 7 days casual leave during a calendar year which may be granted by the Secretary in his discretion.

LONG LEAVE

- 7.** The Executive Committee may in a proper case grant leave on half pay in excess of earned leave on medical grounds, subject to a maximum of two months.

PROVIDENT FUND

- 8. (a)** An employee shall be entitled to benefits of a Provident Fund after a period of one year's approved service.
- (b)** Subject to Sub Rule (a) every employee shall subscribe to the provident fund at the rate of 1/6 in a similar amount will be contributed by the Association.
- (c)** A separate account shall be opened in a Bank in the name of the employee concerned. The Provident Fund contribution shall be regularly deposited every month in the account of the

employee and the pass book shall remain in the custody of the Secretary.

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The account will be operated upon by the depositor countersigned by the President and the Secretary.

- (d)** Provided that the employee shall not be entitled to receive contribution made by the Association.
- (i)** If employee gives up his employment with permission of the Executive Committee.
- (ii)** If the services of an employee come to an end within seven years of the date of employment.
- (iii)** If the services of the employee are terminated on account of misconduct.

9. The employees shall be entitled to the benefits of the Group Insurance Policy under which every employee is insured for the sums specified in the Policy.

10. UNIFORM

(a) WINTER UNIFORM

Every employee may be given a winter uniform and raincoat every two years, at the discretion of the Executive Committee.

(b) SUMMER UNIFORM

A summer uniform may be given to the employee in the beginning season each year. The Office Superintendent, Clerks Librarian may be supplied with a suit different from the Uniforms of the Peons, Daftaries and Sweepers.

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The employee may be allowed loans against their own Provident Fund Account to the maximum of 50% of the total amount standing to their credit in the Bank, subject to repayment by monthly installments deductible from their pay. The Association has a right to forfeit the entire or portion of the Provident Fund of the employees for misconduct, inefficiently, dismissal or for sufficient cause on resignation by an employee.

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