

CONSTITUTION OF
GUJARAT HIGH COURT ADVOCATES ASSOCIATION

PREAMBLE

The Gujarat High Court Advocate's Association is voluntary organization formed by Association of advocates regularly and ordinarily practicing in the Gujarat High Court with a view to promote their common professional goals, objects and interests in general and those related to practice in Gujarat High Court in particular and other objects more particularly stated hereinafter. To achieve these objects of their Association they have given to themselves the following constitution.

I. Name:-

The name of the Association shall be Gujarat High Court Advocate's Association (hereinafter referred to as "Association")

II. OFFICE

The Registered Office of the Association shall be at the place where the Gujarat High Court is located and the address of the present office is Gujarat High Court Complex, Sola, Ahmedabad.- 380060

III. DEFINITIONS

- (1) "Advocate" means an advocate as defined under the Advocates Act, 1961.
- (2) "Association" means Gujarat High Court Advocates' Association ("GHAA" for short)

- (3) “Constitution” means the GHAA’s constitution, 2006 which came into force on 1st September, 2006 as passed and resolved by the General Body of the Association.
- (4) “Court” means High Court of Gujarat
- (5) “Enrolment Committee” means the Committee constituted under the provisions of this Constitution for the specified purposes mentioned in it.
- (6) “Managing Committee” means the committee constituted of all elected office bearers and elected members of the Association under the provisions of this constitution.
- (7) “Member” means a member of Gujarat High Court Advocates Association falling in either of the categories specified in this Constitution.

IV AIMS AND OBJECTS:-

Without prejudice to the generality of the objects hereinbefore stated the following shall be the aims and objects of the Association :-

- (1) To uphold the Constitution of India and to promote the rule of law, independence of the judiciary and of the members of the Bar, to assist the making of proper legislation and law by study of impending legislation plenary as well as subordinate, and making suitable comments and suggestions thereon.

- (2) To assist and promote fair, clean and efficient administration of justice in the Courts in the State of Gujarat and in particular the High Court of Gujarat.
- (3) To ensure that proper machinery is evolved for appointment of competent persons as law officers of the State or Central Government or Municipal Corporation or Local authorities and to take all necessary steps in that behalf.
- (4) To ensure that proper machinery is evolved for appointment of competent persons of integrity as judges of the High Court and to take all necessary steps in that behalf.
- (5) To promote independence of the judiciary at all levels free from executive influence or political pressures.
- (6) To assist and co-operate with administration of the High Court and other Courts in Gujarat and take all necessary steps in that behalf.
- (7) To initiate projects for training of junior Advocates and trainees in the art of advocacy, in preparation of cases before the High Court, by conducting moot Courts and other programmes and arranging lectures, holding seminars and taking such other suitable measures for that purpose.
- (8) To ensure that proper and sufficient facilities by way of Chambers, Library, Bar rooms and other attendant facilities are provided by the State Government and other High Court to Advocates practicing in the High Court.

- (9) To protect and advance interests of Advocates and to take necessary steps for promoting, supporting or opposing any legislative, executive or other actions affecting the legal profession.
- (10) To effectively represent before the Courts, Central and State Governments and Panchayat and its Committees about problems facing legal profession and the Judiciary.
- (11) To promote and advance activities of legal profession in the field of various laws and to publish journals, books, pamphlets, brochures and to collect and compile judgment, circulars, rules and notification relating thereto.
- (12) To organize meeting, seminars, study circles, conferences, workshops etc. for the purpose of continuing education of Advocates, Judges, law students and those connected with administration of justice in various laws and to participate in national and/or international conferences related thereto.
- (13) To ensure that laws are just and fair and to promote rationalization and simplification of laws and to submit memorandums, representation and draft amendments to various authorities presenting the view points of Advocates in connections with various laws.
- (14) To foster unity, brotherhood, goodwill, understanding and fellowship amongst the practicing Advocates and for that purpose

arrange various programmes and activities including sports, recreational, cultural and entertainment programmes and activities.

- (15) To ensure effective representation of Advocates on various bodies, committees and commissions appointed by the Central Government or State Government so that the interests of Advocates and of public in general are safeguarded.
- (16) To provide legal aid to members of the public by giving advice and assisting in taking legal proceedings in High Court.
- (17) To seek affiliation with State level, National level and International level Bar Associations and such other professional bodies connected with law and to participate in programmes with the aims and object of the Association.
- (18) To take active steps to hold demonstrations/training meets for education of members of the Bar for operating computer particularly C.D. Rom and other software for efficient working.
- (19) To advise and assist Junior Lawyers joining the profession and regularly practice in the High Court in getting proper placement in chambers of senior colleagues in the High Court and render all other assistance for augmenting future prospects of junior lawyers by supply of basic law books, etc.
- (20) To recognize the member of the Association for the services in the field of law and/or to felicitate any member or any person connected with law legal profession or judiciary for the

distinguished services to the society or to the institution OR to felicitate any member of the association for any other reason as may be found fit just and proper by the General Body of the Association.

- (21) To do all such other things as are incidental or conducive to the all attainment of the objects of the Association.

V. MEMBERSHIP:-

(A) There shall be following classes of members:-

1. Ordinary Members

Advocates regularly and ordinarily practicing at the Gujarat High Court and who agree with the aims and objects and other provisions of this Constitution and who fulfill the following criteria are eligible to become Ordinary members.

Criteria:

- (i) The advocate's principal, regular and ordinary place of practice is High Court of Gujarat.

Provided that no advocates can become the Ordinary members of this Association unless he/she has completed at least 6 months of regular and ordinary practice in the High Court of Gujarat from the date of his/her enrollment with the Bar Council of Gujarat.

- (ii) The advocates is eligible for the allotment of the chamber in Lawyers' Chambers Building in the Gujarat High Court complex

as per the prevailing “Advocates” Chambers (Allotment and Occupancy) Rules, 1998

Exception 1 : The advocate fulfilling other criteria but not fulfilling the criteria (ii) mentioned above, if is attached or associated with any advocate or firm fulfilling these criteria, on production of a certificate in writing and signed by such advocate or firm as per FORM -1, can be enrolled as the Ordinary Members of the Association.

Exception 2 : The advocate fulfilling other criteria but not fulfilling the criteria (ii) mentioned above, if is attached or associated with any advocate or firm fulfilling these criteria, on production of a certificate in writing and signed by such advocate or firm as per FORM -2, and on being recommended by the Managing Committee by passing a resolution that the applicant’s principal, regular and ordinary place of practice is High Court of Gujarat, can be enrolled as Ordinary Member of the Association

- (iii) The advocates who is already a member of any other Bar Association within or outside the State of Gujarat on filling of a declaration as per FORM-3, to the effect that the applicant is not regularly and ordinarily practicing in the Court or Tribunal in which such Bar Association is functioning and further that he is not going to contest, vote or in any way participate in any election

of that Association, can be enrolled as Ordinary Member of the Association.

Provided that the advocates at the time of his/her admission as ordinary member, if is not a member of any other Bar Association as aforesaid, but becomes such member subsequently, he/she shall immediately but not later than 30 days of his/her becoming such member, inform in writing in that behalf and file a declaration as provided in sub clauses (iii) above.

2. Associate Member

Advocates who are not eligible to become Life or Ordinary Member of the Association and who agree with the aims and objects and other provisions of this Constitution are eligible to become Association Member of the Association by paying such Entrance and Annual fees as prescribed. Such Association Members shall have no right to vote or to hold any office in this Association and under this constitution. However, the Managing Committee as its sole discretion can invite such member to any meeting of the Managing Committee or any of its sub-committees as special invitee.

3. Honorary Members:

The Managing Committee shall be entitled to admit without any application as Honorary member any distinguished person of eminence in the field of law or administration or Legislature or judiciary or public service rendered by such person. Such Honorary Member shall not be liable to pay any entrance fee or annual subscription and shall continue to

be such Honorary Member for such period as may be decided by the Managing Committee. Such member will cease to be a member on the expiry of the said period. Such person shall also cease to be member in case of his death or resignation. Such member shall have no right to vote or to hold any office under this constitution.

4. Life Members:

The managing Committee on an application being received from any ordinary member shall admit such member as Life Member provided he/she has been member of GHAA continuously for 15 (fifteen) years and has been ordinarily and regularly practicing in High Court of Gujarat for such period and who is willing and actually pays an amount of Rs 15000/- and such Life Member will have right to vote and right to contest under this Constitution and will be subject to all other provisions contained in this Constitution but will not be required to pay entrance annual subscription on being admitted as a Life Member.

(B) An application for membership of the Association shall be in writing as per FORM – 4 and shall be proposed and seconded by two Ordinary members of the Association. The application form received by the General Secretary from any intending member will be placed before the Managing Committee for scrutiny. The Managing Committee thereafter with its comments shall forward it to the Enrollment Committee for consideration. The Enrollment Committee shall have absolute right to refuse membership to any application.

(C) If any information stated in the application form prescribed in FORM-4 or in any certificate or declaration prescribed in FORM NO 1, 2, or 3 is found to be false and/or incorrect, the Managing Committee shall have power to strike off the name of the applicants/declarant/certifying members, as the case may be, as the member of the Association after giving 15 days notice and reasonable opportunity of hearing.

VI ENTRANCE FEES AND ANNUAL SUBSCRIPTION

The entrance fees and the annual subscription of the members shall be as follows:

| | Entrance Fee ----- | Annual Fee ----- |
|---|-----------------------|---------------------|
| (1) Ordinary Members | | |
| (i) Advocates having standing Upto 5 years | Rs. 300/- | Rs. 300/- |
| (ii) Advocate having standing above 15 years | Rs. 700/- | Rs. 400/- |
| (iii) Advocates having standing above 15 years | Rs. 700/- | Rs. 700/- |
| (2) Associate Members | Rs. 500/- | Rs. 500/- |

The entrance fees and /or annual subscription of the members shall be subjects to change as may be decided by the Managing Committee.

VII CESSATION OF MEMBERSHIP

(1) Any member may resign his membership by sending resignation in writing signed by him to the Managing Committee and on its acceptance by the Managing Committee he shall cease to be a member from the date of the receipt of application.

(2) Any member may be declared by the Managing Committee to have ceased to be member of the Association in the event of :-

(i) his/her ceasing to possess qualification for membership, or

(ii) his/her refusal to comply with or acts in violation of any of the provisions of this constitution or the rules and regulation of the Association.

Provided that the Managing Committee shall before declaring that a member has ceased to be a member of the Association give to such member reasonable opportunity to show cause as to why the Committee should not make declaration in that behalf.

(3) If any member admitted as Ordinary Member of the association ceased to fulfill and comply with any of the criteria prescribed by this Constitution, he/she shall be then considered only as Associate Member upon a decision taken by Enrollment Committee in this behalf after the matter is referred to it by the Managing Committee. Before taking any decision under this clause, the Enrollment Committee shall give 15 days notice to the concerned member and afford him/her a reasonable opportunity of hearing.

- (4) Any person who shall for any cause whatsoever, cease to be a member of the association shall nevertheless remain liable for and pay to the Association all outstanding dues which at the time of his ceasing to be member may be due to the Association

VIII OFFICIAL YEAR

The official Year of the Association shall be the financial year commencing from 1st day of April and ending 31st day of March.

IX MANAGEMENT

- (1) The Management of the Association shall vest in the Managing Committee which shall consist of 15 (fifteen members including office bearers but excluding the co-opted members.)
- (2) The existing office bearers and members of the Managing Committee on the date this constitution is adopted shall constitute the First Managing Committee of Association and its office bearers under this constitution.

The Managing Committee shall continue in office till 31st March, 2007 and thereafter till first election are held after 31st March, 2007 and till new Managing Committee assume office.
- (3) The Managing Committee shall have the power to co-opt members not exceeding 3 in number.
- (4) Five members shall constitute quorum for the meetings of the Managing Committee.

- (5) The Managing Committee shall exercise power of supervision and control over the work and is empowered to carry on the day today work of the Association.
- (6) The Managing Committee shall have the power from time to time to frame rules of the Association not inconsistent with the constitution of the Association or the attainment of the aims and objects of the Association and shall have the like power to delete, alter, amend or modify the rules already made.
- (7) The Managing Committee shall have power to appoint sub-committee for special purpose. Members to the sub-committee so constituted may be from members or Associate members or honorary members of the Association. Chairman of such sub-committees shall ordinarily be appointed from amongst the members of the Managing Committee.
- (8) The Managing Committee shall have power to open accounts with banks and to authorize their operation. The banking accounts shall be operated upon jointly either by the President or Vice President and either Honorary Secretary, Honorary Joint Secretary or Honorary Treasurer.\
- (9) The Managing Committee may by a majority of two-thirds of the Members present an voting at the meeting at anytime recommend to the General Body of the Association expulsion or removal from membership of any member who is considered undesirable in the interests of the Association. Provided always that the offending member is given a

previous notice of such proposed recommendation and is given an opportunity to explain his action or conduct to the members present.

- (10) All vacancies among the elected members of the Managing Committee, including office bearers, occurring during the year shall be filled in by it if so desired at its discretion for the unexpired period. The Said Managing Committee and the said office bearers will continue to remain in office till elections are held and new Managing Committee assumes office.
- (11) The term of the Managing Committee so elected shall be for one year.
- (12) The Managing Committee of the Association shall be of 15 members consisting of:-
 - (1) President (2) Vice President (3) General Secretary (4) Joint Secretary
 - (5) Treasurer (6) 10 members.

Provided further that in respect of Committee Members.

1. One member shall be elected from the female advocates and
2. Two members shall be elected from the advocates having a standing of less than 5 years.

X. ELECTION TO MANAGING COMMITTEE

1. Term of Managing Committee shall be for the period of one year. The Managing Committee shall take charge on the first day of the reopening of the court after the summer vacation
2. The Managing committee shall declare the election programme for the election of the office bearers and he members to be held during the period of last tow working weeks before the summer vacation begins

3. The election programme shall consist of various steps like preparing voters list and its publication, filling in nomination form, its scrutiny, withdrawal thereof, publication of the names of the contesting candidates and the date of election. Such programme shall be declared at least two weeks before the date of election
4. After the election programme is declared the entire election process starting from distributing the nomination forms till the declaration of the result of election shall be undertaken by the Returning Officer nominated for the said purpose.
5. The Returning Officer shall be from among the ordinary members of the Association having not less than 15 years of standing at the bar who shall be nominated by the Managing Committee simultaneously with the declaration of the Election Programme. Returning Officer shall be in complete charge of the entire election process and can seek assistance of any other members of the Association.
6. The Returning Officers shall be entitled to do the needful for completing the election smoothly and successfully and shall not be required to take formal permission of the Managing Committee for doing any acts necessary in this behalf
7. Only those ordinary members of the Association who are not in arrears of dues and or who have paid their annual subscription of the current year latest by 31st March of that year, shall be entitled to vote, contest and any other way participate in the election

Provided that no member shall be eligible to be elected on the post of the President or General Secretary of the Association for more than 6 (Six) terms in all for each of such posts. If the member is elected for either of these post for 2nd (Second) consecutive terms he/she shall not be eligible to contest for such respective post until the expiry of 2 (two) consecutive terms after he/she having been so last elected on that post.

XI. ENROLLMENT COMMITTEE :-

1. The enrollment committee shall consist of 5 members out of whom the President and General Secretary shall be the Ex Officio members. Remaining 3 members shall be from amongst the Ordinary Members of the Association having a standing at the Bar not less than 25 years and they shall be nominated by the General Body of the Association.
2. The term of Enrollment Committee is co-extensive with the Managing Committee of the Association.
3. The Committee shall elect its chairman in its 1st meeting.
4. All applications for membership of the Association after scrutiny by Managing Committee shall be forwarded to Enrollment Committee. It shall decided by majority whether such applications should be accepted and applicants admitted as members of the Association. The applicants admitted as members of the association. The Enrollment Committee shall have absolute right to refuse membership to any person without assigning any reason.

5. The first Enrollment Committee under this Constitution shall consist of President, Vice-President and following three members out of the present Special Committee appointed for consideration and approval of the present Constitution under the General Body Resolution dated 21-8-2006

1. Shri J. R. Nanavaty
2. Shri M. D. Pandya
3. Shri P. V. Hathi

6. Transitional Provision

- (i) The present members of the Association under the old Constitution shall also be scrutinized by the Enrollment Committee and those members found eligible under the present Constitution shall be admitted as ordinary members and others not so eligible shall be admitted as associate members and shall be given opportunity to satisfy the Enrollment Committee that they satisfy the eligibility criteria of becoming ordinary members and if the Enrollment Committee is satisfied, they will be admitted as ordinary members.
- (ii) if any of the present members of the Association under the old Constitution is also a member of any other bar association within or outside the state of Gujarat, he/she shall submit a declaration in prescribe FORM-3 within a period of 30 days from the date as may be notified by the Managing Committee and put on the notice board.

XII. OTHER COMMITTEES

1. There shall be following committees for serving the aims and objects described in this Constitution in a better, fruitful and effective way.

(A) EDUCATION AND TRAINING COMMITTEE

1. There shall be an Education and Training Committee consisting of 7 members which will hold on regular or periodical basis the Education and Training programmer for all concerned and particularly for Freshers in the legal profession and young lawyers AND will also arrange any other programme according to the need of the time to fulfill the aims and objects of the Constitution in this behalf.
2. The President and General Secretary shall be the Ex.- Officio members of this Committee. Out of remaining 5 Committee as may be nominated by it. Remaining 3 (Three) members shall be nominated b Managing Committee are interested in educating and training the young lawyers and who can better contribute to fulfill the aims and objects in this behalf.
3. The term of this committee on its Constitution shall remain co-extensive with the term of the Managing Committee.

(B) SPORTS AND RECREATION COMMITTEE

1. There shall a Sports and Recreation committee consisting of 7 members which will arrange programmes on Sport activities, arrange competition among the members of the Association or with the members of any other Bar Association within or outside State of Gujarat, hold seminars – slides shows etc. on Sport

or Recreation activities and arrange for recreation programmes or any other activities or programmes to fulfill the aims and objects of the Association in this behalf.

2. The President and General Secretary shall be the Ex-Officio Members of this Committee. Out of remaining 5 members, two members shall be from the Managing committee as may be nominated by it. Remaining 3 members shall be nominated by Managing Committee members shall nominated by Managing Committee from among the Ordinary members of eminence and are interested in Sports and Recreational activities and who can contribute to fulfill the aims and objects in this behalf.
3. The term of this Committee on its constitution shall remain co-extensive with the term of the Managing Committee.

(C) PROGRAMME AND ENTERTAINMENT COMMITTEE

1. There shall be a programme and entertainment committee consisting of 7 members which will arrange for any kind of programme for the betterment of the Association and its members including the programme like New Year get together, Year ending get together, Felicitation programme, portrait unveiling programme, Talent show or Entertainment programme, gathering on elevation of the member of the Bar or judicial officers as the Judge of the High Court or on transfer or retirement of any of the Judges of the High Court of Gujarat OR for any such purpose or occasion which may be in fulfillment of the aims and objects of the Associations in this behalf.

2. The president and General Secretary shall be the Ex- Officio members, two members shall be from the Managing Committee as may be nominated by it. Remaining 3 members shall be nominated by Managing Committee from among the Ordinary Members who are of eminence and are interested in holding/arranging such programmes and who can contribute to fulfill the aims and objects of the association in this behalf.
3. The term of the Committee on its Constitution shall remain co-extensive with the term of the Managing Committee.

(D) GRIEVANCES REDRESSAL COMMITTEE

1. There shall be a Grievances Redressal Committee consist of 10 (Ten) Member for the purpose of Redressal of various types of grievances raised by the Members of the Association collectively or individually in respect to any legitimate question which might arise in maintaining the relationship between the Bar and the Bench or any other question relates to the administration of work in relation to dispensing with the justice delivery system.
2. The grievance as aforesaid shall be raised by the members collectively or individually in writing and shall be submitted to the General Secretary who in turn will place the same before the Committee for taking an appropriate decision.
3. The President and the General Secretary shall be ex- officio members of this Committee and 3 of the members shall be nominated by the Managing Committee from among the remaining members of the Managing Committee.

3(Three) other members shall be nominated by the General Board having more than 15 years standing at the Bar. The last remaining 2 members shall be nominated by the General Board, one from among the Female Advocates and the last from among the Junior Advocates having a standing upto 5 years at the Bar.

4. The term of this Committee on its Constitution shall remain co –extensive with the term of the Managing Committee.

2. All programmes /functions/seminars/ lectures/ activities which any of the above referred 3 committees shown as (A), (B) and (C) recommend and decided to hold or arrange, the same shall be subject to the prior permission and final approval of the Managing Committee. The decision of the Managing Committee shall be final in this regard.
3. If any vacancy arises n any of these 4 committees on account of death or resignation of any of the members or for any other reasons, the Managing Committee shall be authorized to fill in the vacancy for the remaining term of such committee from among the Ordinary Members of the Association.
4. The General Secretary shall call the meeting of any of the above referred committee from time to time and as per the need and requirement and in the first meeting of each of these committees, the members shall elect from among tem a member as the Chairman/Chair person of the respective committee.

5. The General Body of the Association shall be authorized to form any other committee to serve the aims and objects the purview of work.

XIII POWER AND DUTIES OF THE OFFICE BEARES:-

1. President or in his absence the Vice President shall preside over all the meetings of the Association and of the Managing Committee. In absence of the President or the Vice President, the members present shall elect a Chairman for meeting
2. The Chairman shall conduct meetings according to the general rules government meetings and shall have power to give a ruling which shall be binding.
3. The General Secretary assisted by the Joint Secretary and Treasure shall be responsible for the efficient Management of the Association and shall carry on correspondence on behalf of the Association and perform such duties as may be prescribed by the Managing Committee from time to time, collect the membership fees, dues and donations received, hold, mange and discharge funds of the Association as authorized by the Managing Committee, keep proper books of accounts, prepare annual budget and put in to the notice of the Association each year along with duly audited financial statement for the preceding year and perform such other duties as may be prescribed by the Managing Committee from time to time.

XIV POWERS OF MANAGING COMMITTEE:-

- (A) The Managing Committee may exercise all such powers and do all such acts and things as may be done or exercised by the Association and are not expressly directed or required by this Constitution to be done by the

Association and any regulation from time to time made by the Association in General Meeting, provided that no regulations so made shall invalidate any prior act of the Managing Committee which would have been valid if such regulations had not been made.

(B) Without prejudice to the General powers conferred by this Clause the Managing Committee shall have power.

(i) To make rules from time to time for its own guidance not inconsistent with the rules and regulations of the Association.

(ii) To Constitute sub-committees consisting of members of the Association and to delegate to them, subjects to such conditions as it ma think fit, such powers as it shall think fit and to make regulations and bye-laws as to the functions of such sub-committees.

(iii) To appear in any case or matter in which they consider the interests of the members of the Associations are affected and to appear and represent the Association are affected and to appear and represent Tribunal, Committee, inquiry body etc. and take such part or proceedings therein as they may think fit.

(iv) To do all such acts as they think necessary for promoting objects of the Association.

- (v) To direct the investment and the manner of investment of the moneys of the Associations and to authorize the sale or transfer of any investment and endorsement of any security held for the purpose or on behalf of the Association and to employ any part of the funds of the Association in the payment for lectures and printing of books, pamphlets or conference in connection with the objects of the Association as well as for carrying out any other general purpose of the Association.
- (vi) To regulate the procedure and meetings of the Managing Committee.
- (vii) To appoint and remove from time to time officers, clerks and servants in the employment of the Association and to fix their remuneration to be paid.
- (viii) To fix entrance fees and annual subscription for ordinary members and Associate member and to vary the same from time to time.
- (ix) To engage lawyers, accounts or other professional persons for purposes of its activities and particularly to represent the Association before any Court, Tribunal or Authority.
- (x) To accept contribution, donations, gifts in cash or kind, for purpose and objects of the Association on such terms and conditions which are reasonable and acceptable looking to the set objects and purposes.

- (C) The Managing Committee may transfer its business either by calling a meeting or by circular in case of emergency. A resolution by circular duly signed by all the members of the Managing Committee present in Ahmedabad shall be as effective as being passed by a meeting. Such circular resolution shall be placed before the next meeting of the Managing Committee for information.
- (D) The office of a member of the Managing Committee shall be vacated by any member.
- (a) If ceases to be member of the Association by reason of any of the disabilities stated in the rules, or
- (b) If he absent himself after receipt of the Agenda circular from three consecutive meetings of the Managing Committee without leave of absence.
- (E) The Managing Committee shall have powers to fill up from amongst the members of the Association any vacancy in the Managing Committee that may occur during the course of the official year of the Association either on account of a seat having been vacated or on account of any other causes.
- (F) Any office bearer or a member of the Managing Committee may at any time resign from the Managing Committee by giving notice in writing of his/her intention to the Honorary Secretary who shall communicate the

same to the Managing Committee, he shall cease to be a member of the Managing Committee.

- (G) The Managing Committee shall ordinarily meet at least once in two months to dispose of all the communications and references and considered all matters which may have been submitted by members for the considerations of the Managing Committee. At every meeting of the Managing Committee, the President shall be Chairman, and in the event of absence of the President the Vice President shall be the Chairman. In absence of both, the Chairman may be elected from amongst the members of the Managing Committee may with the consent of the meeting adjourn the meeting from time to time and from place to place.
- (H) The General Secretary upon the direction of the President or written request by any three members of the Managing Committee shall at anytime summon a meeting of the Managing Committee by issuing a written circular specifying Agenda items at least two days before the date of such meeting.
- (I) Question at any meeting of the Managing Committee shall be decided by a majority of votes an in the case of an equality of votes, the Chairman shall have a casting vote.
- (J) The Managing Committee shall record minutes of all resolution and proceeding of the Managing Committee. Every minutes signed by the Chairman of the meeting to which it relates or by the Chairman of a subsequent meeting shall be sufficient evidence of the facts therein stated.

(K) The General Secretary shall keep complete accounts, prepare annual accounts and such accounts, after having been audited, shall be placed before the Managing Committee for approval and thereafter it shall be brought to the notice of the members and shall make a report of the activities of the Association during the previous year and shall place it on the notice board and on written demand by any of the members, supply a copy thereof.

XV APPOINTMENT OF AUDITOR

The Managing Committee in its first meeting shall appoint Auditors who shall be a Chartered Accountant. The Auditor shall retire on the expiry of the term of Managing Committee but shall be eligible for re-appointment. A casual vacancy in the office of the Auditors may be filled up by the Managing Committee.

XVI General Meetings:-

- (A) Annual General Meetings shall be held before the 31st day of July each year of which not less than 14 clear days notice shall be given to all the members by placing it on notice board, Bar Rooms, Tea Rooms and at other places of convenience.
- (B) 35 members present in person shall form the quorum. If there is no quorum formed within fifteen minutes of the time specified, the members present shall constitute the quorum and the business of the meeting shall be transacted at the said meeting.

- (C) An Extraordinary General Meeting may be called after giving seven clear days notice. On a requisition of 35 members an Extraordinary General Meeting shall be called by the Managing Committee after giving fourteen clear days notice. However, in case of very urgent business with the permission of the President such meeting can be called by 24 hours notice provided that in case of extraordinary urgency such meeting can be called with the permission of the president with less than even 24 hours notice.
- (D) The following business shall be transacted in the Annual General Meeting:
- (a) Annual Reports
 - (b) Audited Accounting of the last year
 - (c) Any other business of which notice has been given
 - (d) Any other business with the permission of the Chair
- (E) Every issue/agenda shall be decided by a majority of the votes by show of hands. Every member shall have one vote. In case of equality of votes, the chairman of the Meeting shall have a second or Casting vote
- (F) The declaration by the Chairman that the resolution has been carried or lost by a particular majority shall be conclusive evidence of the said fact.
- (G) The Chairman of the General Meeting, may, by the consent of the members present in the meeting, adjourn the same from time to time but no business shall be transacted at any adjourned meeting other than the pending business of the last adjourned meeting.

- (H) Minutes of the meetings shall be recorded in the minutes book maintained by the Association. Every minute shall be signed by the Chairman of the meeting to which it relates or by the Chairman of the subsequent meeting.

XVII APPEAL

1. If any dispute arises on account of any decision taken either by Managing Committee or Enrollment Committee as regards Membership of the Association, Types of Membership, Cessation of Membership or Refusal for enrollment as a member under any of the provisions of this Constitution in that behalf, an appeal shall lie to the Appellate Committee.
2. The Appellate Committee shall be consisting of 5 members. The Advocates General and the Govt. Pleader shall be the Ex-Officio Member of the Committee. Remaining 3 member shall be nominated by the General Body of the Association at its General Meeting who shall be having a standing not less than 25 years and shall be from among Ordinary Members of the Association.
3. The decision of the Appellate Committee on any dispute after holding the inquiry and after giving reasonable opportunity of hearing as the Appellate Committee may think fit to provide in the given case, shall be final....
4. The term of this Appellate Committee to be nominated by the General Body shall be for 3 years.

XVIII ALTERATION AND AMENDMENT TO THE CONSTITUTION:

The Constitution of the Association may be altered at an annual General Meeting or at an extraordinary General Meeting of the Association duly convened for the purpose but such alteration shall be by a two-third majority of the members of the Association presents and voting at the meeting.

XIX PROPERTIES AND ASSETS:

The properties and assets of the Association shall vest in the Managing Committee or such of them as may be decided upon by the Managing Committee. It shall also be permission for the Managing Committee to have the properties and assets held in the name of the Association as may be considered desirable or convenient.

No funds or income of the Association shall be distributable amongst the members of the Association.

XX DISSOLUTION

If upon the dissolution of the Association there shall remain after the satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid to or distributed among the members of the Association or any of them but shall be given to some other association having objects similar to those of the Association.

XXI REPEAL

On passing of this draft Constitution by the General body of the Association in its meeting dated 30/08/2006 the old Constitution will stand

repealed w. e. f 31/8/2006 and present Constitution shall come into force from
01/09/2006

APPENDIX

FORM

1. CERTIFICATE [Class V(A) (1) (ii)]
2. DECLARATION [Class V(A) (1) (ii)]
3. DECLARATION [Class V(A) (1) (ii)]
4. APPLICATION FOR MEMBERSHIP [Clause V (B)]

-----X-----X-----X-----

**Unanimously passed, approved and sanctioned by the General Body of
Gujarat High Court Advocates' Association in its meeting held on 21/8/2006,
22/8/2006, 23/8/2006, 24/8/2006, 25/8/2006, 29/8/2006, and 30/8/2006.**

Form -1

Certificate as per clause V(A) (1) (ii) of the Constitution of Gujarat High Court
Advocates' Association.

To
The General Secretary
Gujarat High Court Advocates' Association
Gujarat High Court Complex, Sola,
AHMEDABAD – 380060
Sir,

I _____

(Full Name)

Hereby certify that Mr./Mrs./Miss _____

(Full Name)

Is attached/associated with me/my/our firm since _____ and

(months & years)

Whose Principal, Regular and Ordinary place of practice is High Court of Gujarat.

I declare that I am ORDINARY member of the Gujarat High Court
Advocates' Association and am fulfilling criteria to retain such membership even
as on the date.

Ahmedabad

Date:

Signature of Life/Ordinary member
with stamp

FORM -2

**Declaration as per clause V (A) (I) (ii) of the Constitution of Gujarat High
Court Advocates Association**

To
The General Secretary
Gujarat High Court Advocates' Association
Gujarat High Court Complex, Sola
Ahmedabad – 380060

Sir,

I _____
(Full Name)

Hereby declare that my Principal, Regular and Ordinary place of practice is High
Court of Gujarat.

I stated that I am not the member of any other Bar Association either is
State of Gujarat or even outside of Gujarat. I further declare that if any statement
of fact stated above is found to be false at any time, my name shall be liable to be
struck off as a member of the Gujarat High Court Advocates' Association.

Ahmedabad

Date

Signature of the Applicant

Form – 3

DECLARATION as per clause (V) (A) (1) (ii) of the Constitution of Gujarat
High Court Advocates Association

To
The General Secretary
Gujarat High Court Advocates' Association
Gujarat High Court Complex, Sola,
AHMEDABAD -380060

Sir,

I, the undersigned _____
Full Name

Hereby declare that I am the member of _____
(Name of Bar Association)

However I am not regularly and ordinarily practicing in the Court or Tribunal in
which such Bar Association is functioning and I hereby further declare that I am
not going to contest/vote or in any way participate in any election of that association.

Ahmedabad

Date

Applicant Advocate

FORM – 4
APPLICATION for the membership of
GUJARAT HIGH COURT Advocates' Association

To
The General Secretary
Gujarat High Court Advocates' Association
Gujarat High Court Complex, Sola,
AHMEDABAD – 380060



Sir,

I, the undersigned desire to become a member of the Association. I have read the Constitution of the Association and I agree to abide by it. I hereby declare that I am enrolled as an Advocate on roll of the Bar Council of Gujarat and eligible for membership under the Constitution of the Association.

I hereby remit the amount of Entrance Fee and the Annual Subscription for the current year/the fixed amount of Rs. _____ to become Life Member

The necessary details are furnished as under:

1. Full Name of the APPLICANT:
(IN BLOCK LETTERS) (BEGIN WITH SURNAME)
2. Residential Address :
3. Office Address :
4. Phone Nos. (O): _____ (R) : _____
Cell No : _____ Fax No : _____
Code No : _____ e- mail : _____
5. Enrolment No. and Date
with Bar Council of Gujarat

with copy of sanad/Certificate of BCG

6. Birth Date :
7. Whether Applicant is a member of any other Bar Association? If yes then give particulars of Bar Asso. of which applicant is the member.
8. Whether Applicant is regularly and Ordinarily practicing in Gujarat High Court?
8. Whether Applicant intends to become Ordinary/Association/Honorary/Life Member?
10. If Applicant is member of any other Bar Association and intends to become ordinary Members, whether declration As per specimen – 3 is attached ?

Ahmedabad

Date

Signature of the Applicant

Advocate

DECLARATION

I, the Applicant above named hereby declare that the above particulars are true to my personal knowledge and I hereby undertake to abide by the provision of the Constitution of Gujarat High Court Advocate Association.

Ahmedabad

Date :

Signature of the Applicant - Advocate

Proposed by
(Names and signature of the
Ordinary Members of the
Association)

1. _____
(Name & Signature)

2. _____
(Name & Singnature)

Seconded by
(Names and signature of the
Ordinary Members of the
Association)

1. _____
(Name & Signature)

2. _____
(Name & Singnature)

OFFICE ENDORSEMENT
(Note to be filled in by the Applicant)

1. Date of Receipt

1. Considered by the

Enrolment Committee On:

2. Entrance Fee &

2. Entered as Member on

Annual Subscription

Faid to/Received by

3. Other Endorsement

3. Enrollment No.

4. Code No.

5. Entrance Fee & Subscription

Receipt and Date

**NOTE: THE FORM IS LIABLE TO BE REJECTED FOR ANY
INCOMPLETE PARTICULARS.**
