

**CONSTITUTION**  
**OF**  
**The District Advocates BAR Association**  
**CHANDPUR**  
**Estd. 1885**

Coming into operation with effect from  
1st day of March 1975  
(as amended upto 5th October 2016)

**District Advocates BAR Association**  
**CHANDPUR.**

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The District Advocates  
BAR Association, Chandpur.  
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&

Edited & as amended up to 05th October, 2016

**The District Advocates BAR Association  
CHANDPUR.**

**The District Advocates BAR Association, Chandpur.**

**1st Published by :**

**Advocate Late Md. Sirajul Islam Patwary**

General Secretary-1975

Advocates BAR Association, Chandpur.

**2nd Published by :**

**Advocate Late Abdul Matin Patwary**

General Secretary-1985

Advocates BAR Association, Chandpur.

**3rd Published by :**

**Advocate Alhaj Md. Mobarak Hossain**

General Secretary-2004

Advocates BAR Association, Chandpur.

**4th Published by :**

**Advocate Muhammad Babar Bepary (Jahir Uddin)**

General Secretary-2010

Advocates BAR Association, Chandpur.

**5th Published by :**

**Advocate Md. Jasim Uddin Bhuiyan**

General Secretary-2016

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## Preface 2016

In a General Meeting held on 5th October, 2016 the Learned President of the BAR Association has Proposed to amend some of the sections of B.F Rules & Articles of the Constitution to make these more effective & beneficial for the Learned Members of the BAR. Accordingly that denotative proposal was approved by the General Body unanimously. Learned President has also proposed to form a Sub-Committee with the following Learned Members :

(01) Advocate Al-Haj Fazlul Haqu Sarker.

(Former President of the BAR)-Convenor

(02) Advocate Al-Haj Md. Mobarak Hossain.

(Former General Secretary of the BAR)-Member Secretary

(03) Advocate Md. Kamrul Islam.

(Former President of the BAR,) -Member

(04) Advocate Md. Zahirul Islam.

(Former President of the BAR,) -Member

(05) Advocate Al-haj Hedayet Ullah- Member.

(06) Advocate Md. Ibrahim Khalil

(Former General Secretary of the BAR)-Member.

(07) Advocate Salim Akbar

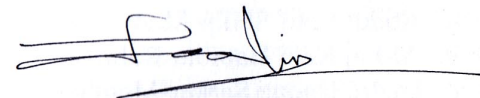
(President of the BAR)-Member.

(08) Advocate Md. Jasim Uddin Bhuiyan

(General Secretary of the BAR)-Member.

As desired by the Learned President & as well as the proposal & hyponic suggestion given by the Learned members of the Sub- committee. I have had to prepare two pre-face separately one for B.F Rules & another for Constitution. Here in these Pre-face I like to include only the relevent amended Articles of the Constitution. The Sub-corrimittee amended Articles 13 (b,c,d,e,f,g,h,i,j), 14 (c), 25, 26 & 44. I wish to show my gratitude to wards. Learned Members of the sub-committee for their nimble & more workable proposal for amending the constitution & at the same time I am grateful to the Learned members of General Body for their kind approval to this effect.

With Thanks.



**(Advocate Md. Jasim Uddin Bhuiyan)**

General Secretary

The District Advocates BAR Association, Chandpur.

Dated. The 5th October, 2016



## Preface 2004

Though the District Advocates BAR Association, Chandpur was established in the year 1885 A.D. yet there were no Rules for the guidance of the Learned Members of the Association other than ordinary unwritten Rules till the year 1975. It appears from the records of the BAR that Constitution of the District Advocates BAR Association, Chandpur was first Published in the year 1975 & 2ndly Published in the year 1985 with some amendments.

But the existing Provision of the Constitution were found quite inadequate to meet the requiremints for smooth management of the briskness of the Association. So, Learned Members of the Association desires major amendments of the Constitution, Specially the management and operation of the Financial matters including Banking operation. In the past in a General Meeting held. on 11.6.2003 a sub-Committee was formed with the following Learned Members.

01. Advocate Abdul Mannan Patwary-Convenor.
02. Advocate Abdul Latif Seikh-Member Secretary.
03. Advocate Al-haj Kazi Habibur Rahman-Member.
04. Advocate Fazlul Haque Sarker-Member.
05. Advocate. Ruhul Amin-Member.
06. Advocate Al-haj Ayub Ali-Member.
07. Advocate A.B.M. Monowar Ullah-Member.
08. Advocate Late Mahabubul Haque Patwary-Member.
09. Advocate Late Abu Fazal-Member.
10. Advocate Al-haj Abdul Matin Patwary-Member.
11. Advocate Al-haj Iqbal-Bin-Bashar-Member.
12. Advocate Kamrul Islam-Member.
13. Advocate Zahirul Islam-member.
14. Advocate Md. Mubark Hossain-Member.

To amend the Constitution wherein I have had an opportunity to be a member of that Committee. But due to some unavoidable circumstances and various reasons, that Sub-Committe Could not provide the Association with an amended Constitution. In this juncture the present Executive Committee was elected in March 9th, 2004 with a promise to amend the Constitution and in such a context, it was felt extremely necessary to have an elaborate and exhaustive Constitution with major amendments, in the light of the previous experiences as to enable the Association to meet the requirements of time for efficient and somooth running of its business.

With this end in view the Executive Committee by its strenuous & arduous days of persistent works on 30/03/04, 18/05/04, 06/06/04, 11/07/04, finally on 02/10/04 and 05/10/04 after careful consideration and threadbare discussion scales by clues, has finally drafted this detailed amendments for placing before the General Body for favour of its Consideration and approval and it is executed with faith in the Almighty Allah and confidence in the Learned Members that this Constitution will be adequate and helpful to fill up the drawbacks of the old Constitution and meet the requitements of time in solving the burning problems that so long agitated the minds of the Learned Members of our Association and for the efficient and smooth management or the affairs of the Association in future as, "old order changeth yielding place to new".

I am grateful to the Learned Members of the Exccutive Committee namely :

- (1) President: Advocate Farid Ahmed Chowdhury.
- (2) Senior Vice President: Advocate Kazi Abdul Gafur.
- (3) Junior Vice President: Advocate Md. Abdus Sattar.

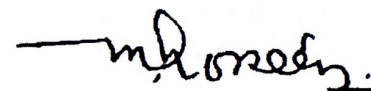
- (4) General-Secretary: Advocate Md. Mobarak Hossain.
- (5) Joint Secretary; Advocate Md. Shaidul Islam.
- (6) Secretary in charge of Forms; Advocate Md. Abdur Rahman.
- (7) Secretary in charge of Library: Advocate Md. Mukter Ahmed.
- (8) Secretary in charge of social and cultural Function and Seminars: Advocate Md. Shahadat Hossain.
- (9) General. Auditor: Advocate Md. A.K.M. Lokman Hossain.
- (10) Running Auditor: Advocate Md. Fazlul Haq.
- (11) Chairman for Registering Authority: Advocate Md. Zakir Hossain Talukdar.
- (12) Secretary for Registering Authority: Advocate Md. Nurul Momen Khan.
- (13) Member for Registering Authority: Advocate Qumrunnessa
- (14) Member for Registering Authority: Advocate Dipali Rani Bhowmic.
- (15) Member for Registering Authority: Advocate Md. Harun-Ar Rashid.

& Learned Members of the Sub-Coimmittee formed carlier for their valuable suggestion sincere co-operation active service and cordial participation for the success of the great task with expectation that amended constitution will meet the long felt necessity of the Association, We have amended Articles 5, 12, 13, 14, 21, 23, 24, 25, 26, 27, 38, and inserted Articles 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 53 and we are confident that the newly inserted Articles are more democratic and workable which will meet the hopes and aspiration of the Learned Members of the BAR.

It may not be out of place to mention here that almost all the Learned Memrers of the Executive Committee have sincerely Proposed, suggested and submitted their opinion for the amendments of the Constitution.

I am also grateful to my Learned Members of the General Body who is Supreme and have extended their hands of co-operation for amendments of the constitution.

With Tkanks.




**(Md. Mobarak Hossain)**

General Secretary

The District Advocates BAR Association, Chandpur.

Dated, the 20th October, 2004.

The Constitution with amendments was finally adopted unanimously in a General lMeeting held on, 20th October, 2004



**(Farid Ahmed Chowdhury)**

President

The District Advocates BAR Association, Chandpur.

Dated, the 20th October, 2004.



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## **Constitution of**

**The District Advocates Bar Association, Chandpur.**

### **PREAMBLE**

**WHEREAS** the Advocates of Chandpur BAR have so far been lacking a constitution of their Association containing Principles, rules and procedures to guide welfare and conduct the relationship among member Advocates to Set-forth procedures of accounts and audit, to set-forth, means of income of the BAR and principles of morality for the conduct of Advocates and matters incidental and ancillary thereto.

### **AND**

**WHEREAS** the Advocates of Chandpur BAR have agreed upon for forming a constitution of their own affirming that it is their sacred duty to safeguard, protect and defend this constitution and to maintain its supremacy as the embodiment of the will of the Advocates of the Chandpur Advocates BAR Association so that they (Advocates) may prosper and may make their full contribution to-wards the progress and prosperity of the Chandpur Advocates Bar Association.

**NOW THEREFORE** in pursuance of the sacred desire of the Advocates of Chandpur BAR keeping in view the provisions of the Bangladesh legal Practitioners And BAR Council Act, distinguished members of the Chandpur Advocates BAR do hereby adopt and give up to themselves the constitution with effect from the First day of March, one thousand nine hundred and seventy five of the Christian Era,

## **ARTICLES**

### **1. Constitution and its enforcement :**

- (i) This constitution may be called -The Constitution of the District Advocates BAR Association, Chandpur, herein after called the Constitution.
- (ii) It shall come into force at once.
- (iii) It shall apply to all members of the Advocates' Bar Association, Chandpur and shall regulate the activities of the Association.

### **2. Supremacy of the Constitution :**

All powers in the constitution belong to the member Advocates of the Association and their exercise on behalf of the member Advocates shall be effected only under and by the authority of this constitution.

### **3. Definitions : In the constitution unless there is any thing repugnant to the subject or context ---**

- (a) "Advocates" means an Advocate on the roll of "the Bangladesh BAR council" and who is enlisted as member on the roll of the Advocates BAR Association, Chandpur.
- (b) "BAR Association" means the Advocates' BAR Association, Chandpur - here in after called the Association.
- (c) "Roll" means the roll of Advocates prepared and maintained by the Association.
- (d) "Prescribed" means prescribed by rules made under the constitution.
- (e) "Bench" means presiding officer of a Court,
- (f) "Regular member" means & includes a member on the roll who in practicing at Chandpur regularly and maintains a Diary of the cases conducted by him & pays regular subscription in different heads as prescribed in the constitution.

#### 4. Formation of the Association :

(i) There shall be constituted in accordance with the provisions of this constitution an Association to be called "The Advocates BAR Association", Chandpur consisting of two about 400 Advocates now existing and such other Advocate or Advocates, as and when enlisted on its roll and each of the member Advocate shall be known as 'Member Unit;

(ii) The Association shall be a corporate body having perpetual succession and a common seal with power to acquire and hold property both movable and immovable and to contract by the said name sue and authorized to conduct the said suit if any.

(iii) All resolutions adopted and decisions taken by the duly convened General Meeting-Prior to the coming into force of this constitution shall be binding on the Association and that shall be followed in accordance with the provisions of the constitution.

#### 5. Enrolment as member or membership :

(a) Anybody enrolled as an Advocate by the Hon'ble Supreme Court of Bangladesh and desiring to practice at Chandpur shall be entitled to become member of the Association on following the requirements and on the approval of the BAR Association.

Provided that the candidate for membership shall have a right of appeal to the general member of Association against the decision of the president.

(b) An applicant seeking admission on the roll the Association shall be liable to pay an admission fee of Take One thousand and five hundred only or such amount as may be determined by the Association from time to time.

(c) on the admission of a new Advocate on the roll of the Association, the new member unit shall have to submit a written Declaration Affirming allegiance to the Constitution.

### SPECIMEN OF APPLICATION FOR MEMBERSHIP OF THE DISTRICT BAR ASSOCIATION, CHANDPUR.

TO

The President/General Secretary,  
District Bar Association,  
Chandpur.

#### SUB : APPLICATION FOR MEMBERSHIP

Sir,

I, the undersigned, have been enrolled as an Advocate by the Bangladesh Bar Council, Dhaka, on.....

Now, I intend to be a member of this Association.

#### My Particulars are given below :

1. Name: .....

Father's /Husband's Name .....

Mother's Name : .....

#### Address:

(a) Present .....

(b) Permanent .....

2. Place and date of birth: .....

3. Qualification:

(a) S.S.C

(b) H.S.C



- (c) B.A/B.Com /B.Sc.
- (d) M.A/M.Com/ M.SC.
- (e) L.L.B.
- (f) L.L.M/Bar-at-Law.
- (g) Others : If any.

4. Previous profession or Service, If any describe  
.....

5. Whethe convicted or punished by Court of authority  
.....

6. Name of Nominees for claim and receiving benefit,  
etc .....

1 .....

2 .....

7. Relationship with the Nominee.....

I do hereby declare that whatever have been stated above  
are true to my Knowledge and that I shall abide by the  
Constitution of the Association.

Dated, Chandpur.

The .....

.....  
Signature of the Applicant

(d) "All member units shall have to pay their monthly  
subscription & other charges if any as may be fixed by the  
Association from time to time including the monthly  
subscription of Benavolent Fund & Annual fees for renovation  
of sanad from Bangladesh BAR Councill from January to  
December each year. Failing which that member unit shall be  
barred to be a voter & participatc in the election of the BAR  
Association & all irregular member units shall be barred to be a  
voter."

(e) A member who is not practicing at Chandpur regularly or is  
associated with any other profession or vocation shall not be  
entitled to get any benefit from the BAR Association.

"It has been decided by the Sub-committee formed for amending  
the Benevolent Fund Rules "That the yearly income of the BAR  
Association shall be distrbuted among the regular members of  
the Association equally".

(f) A member who is not a regular member shall not be entitled  
to any pecuniary contribution in any shape or form from the  
Association.

(g) No regular member shall be deprived of from getting the  
benefit and other facilities from the BAR Association mere on  
the grounds of absence due to continuons illness or physical  
inability, until and unless voluntarily retires from the profession.

## 6. Relationship among member units :

(i) The relationship among the member units of the  
Association shall be like that of a joint family members  
having proper respect towards the seniors and affectionate  
and helping attitude towards the jumiors.

(ii) If any dispute or misunderstanding between member  
units crops up, the aggrieved one shall give a chanee to the  
Association for amicable settlement of the same before  
seeking relif elsewhere.

## 7. Ownership of properties :

The Association shall be the owner of its movable and  
immovable properties and individual member shall have any  
independent and specific share in it.



No individual member shall have any right to transfer in any shape or form or create any change on any part of the properties of the Association. Any such act done by any member or members shall be void and shall not be binding on Association. And if anything done so he will liable to be punished as per decision taken in the General Meeting.

#### **8. Financial Year :**

The financial year of the Association shall be commenced in January and will be ended in December every calendar year. At the end of each year the General Secretary shall submit an audited statement of assets and liabilities of the Association inclusive of the statements of properties and valuation there of after taking physical verification and inventory of the assets as on 31th December every year to the members in a General meeting.

"General Secretary shall also submit a list of regular & irregular member's with his annual report"

At the end of every financial year and within 15 of January of the new year an Annual General Meeting of the Association shall be held which will be celled by the General Secretary with clear 7 (seven) days notice to the member units where in he shall submit the audited accounts of the Association together with a statements of assets and liabilities of the Association for the consideration and acceptance of the member units.

#### **9. Fund of the Association :**

All sums received by the association as enlistment fees, grants donation sale Proceeds of forms and all other income shall form a part of the Association fund and that fund shall be managed to administer and utilize by the Association.

#### **10. Books of account and expenditure :**

The association shall cause to be maintained such books of accounts and other books relating to its income, assets and expenditure in such form and in such manner as may be prescribed.

#### **11. Functions of the Association :**

Subject to the provisions of the constitution and rules made there under the functions of the Association shall be ----

- (a) To admit Advocate /Advocates on its roll and to remove member unit from such roll;
- (b) To prepare and maintain such roll;
- (c) To collect admission /enlistment fee from new Advocate and realize monthly contributions amongst member units and other fees as admissible in law.
- (d) To lay down standard of professional conduct and etiquette for Advocates on its roll and order punishment in violation thereof;
- (e) To entertain and determine cases of misconduct against Advocates on its roll and order punishment, if necessary in such cases;
- (f) To lay down rules, procedures and standard of professional conduct for the Advocates' Clerks and other employees of the BAR.
- (g) To save guard and protect the rights, privileges and interest of Advocate on its roll;
- (h) To manage and invest the funds of the Association;
- (i) To Provide for election of its members;
- (j) To constitute Sub-Committee and to lay down procedures thereof;
- (k) To maintain proper accounts of the income and expenditure of the Association;
- (l) To promote legal Knowledge by holding seminars and cultural function;
- (m) To perform all other functions and do all other things necessary for proper discharge of the aforesaid function and to do such other things for smooth and efficient running and all round prosperity of the Association.

#### **12. Executive Committee :**

- (a) The affairs and functions of the Association shall be managed by the following office bearers subject to the direct Election



BAR Association where a regular Member Units can participate.

(i) President

(ii) Two Vice-Presidents (a) Senior Vice-President.  
(b) Junior Vice-President.

(iii) One General Secretary

(iv) One Joint Secretary

(v) One Secretary in charge of Forms.

(vi) One Secretary in charge of Library

(vii) One Secretary in charge of Social and Cultural Function and seminars.

(viii) One Running Auditor.

(ix) One General Auditor

(x) One Chairman for Registering Authority.

(xi) One Secretary for Registering Authority.

(xii) Three Members for Registering Authority.

(b) The holder of offices bearers shall remain jointly and severally responsible for the proper and efficient management of the Association.

### 13. Election of the BAR Association :

a) The election of the BAR Association shall be held within 25th January each year. In case of any unavoidable circumstances 7 (Seven) days can be extended for holding election. The General Secretary will submit a tentative expenditure for day-to-day function of the BAR Association including Election expenditure in a General Meeting for the said period. Without the prior approval of the General Meeting, General Secretary is not entitled to spend any amount from the fund of the Association. In case of any expenditure is incurred as stated above without the prior approval of the General Meeting, the General Secretary

shall be bound to refund the same to the Fund of the BAR Association. The General Secretary shall only incur incidental expenditure absolutely necessary for smooth running of the Association from January 1st to the end of election. The General Secretary in no way be permitted to make any contract, sanction any loan from Benevolent Fund or any other fund of the Association or to operate any development work of the Association for the said Period.

(b) To contest an election for the post of President, a member shall have at least 15 (Fifteen) years regular membership of the Association on the day of filing the nomination paper. <sup>\*1</sup>

(c) To contest an election for the post of General Secretary, a member shall have at least 10 (Ten) years regular membership of the Association on the day of filing the nomination paper. <sup>\*2</sup>

(d) No member of the District BAR Association, Chandpur will be eligible to contest in the Election of the BAR Association as a member of the Executive committee if it is found that he has violated the concern Article's of the constitution of the BAR Association or his activities are detrimental for the interest of the BAR Association. <sup>\*3</sup>

(e) No person will be entitled to be a member of the District BAR Association, Chandpur if he is Legally Responsible for moral turpitude or he is convicted by any Competent Court of Bangladesh for his unsocial and immoral activities. <sup>\*4</sup>

(f) Code of Conduct of Election: In this regard Election Commission will circulate a code of conduct regarding election and the Commission shall circulate the same before 3 (three) days of commencement of election. <sup>\*5</sup>

(g) A ballot paper shall be printed containing names of all contesting candidates. <sup>\*6</sup>

---

\* 1,2,3,4,5,6 13) Inserted vide amendment dated, 05th October, 2016.



(h) If there be not more than one candidate for any office, such candidate shall be declared elected on the expiry of the day fixed for withdrawal of candidature.<sup>\*1</sup>

(i) The Election Commission shall declare election results after counting of votes immediately.<sup>\*2</sup>

(j) Election results declared as per provisions herein before provided, shall not be questioned anywhere in any manner whatsoever by any candidate.<sup>\*3</sup>

#### 14. Formation of the Election committee :

(a) The election of the BAR Association shall be held within ten days from the date of the Annual General Meeting.

(b) To ensure free & fair election and to solve any dispute regarding election there shall be an election commission and the election commission shall be constituted consisting of the sitting President & two Vice-Presidents. In the absence of any of them the Executive Committee will select the members of the Election Commission forthwith from amongst the members of the Executive Committee.

"Valid vote can be counted as valid if the voter marks only by 'X' (cross) against the candidates otherwise not."

"To avoid dispute one agent will be appointed from each panel"

(c) The intending candidates shall have to buy nomination paper on payment of Tk. 100/- (One Hundred) for each portfolio and shall have to file nomination papers to the Returning Officer-Cum-General Secretary by filling up the following proforma with the specified time limit :

Name in Full of the intending candidate	Portfolio for which intended to be a candidate	Full name & signature of proposer with Voter No.	Full name & signature of seconder with Voter No.
---	--	--	--

Signature of the Candidate & Voter no.

<sup>\*1, 2, 3</sup> 13) Inserted vide amendment dated, 05th October, 2016.

provided that the proposer and the Secunder shall be from among the member units who shall not be a candidate for any portfolio for the same post.

(d) The candidate concerned shall be at liberty to withdraw his candidature within forty-eight hours after closing of the date and time fixed for submission of Nomination paper.

(e) The Nomination paper shall be scrutinized by the Returning Officer-Cum-General Secretary within twenty-eight hours in the presence of the candidates from the date and time of closure of the submission of Nomination papers and thereafter the approved list of candidates shall be circulated in the Notice Board with notice to the candidates concerned.

(f) The Returning Officer-Cum-General Secretary shall have the right to reject a Nomination paper on any legal grounds. In case of rejection of any Nomination paper appeal to the Election Commissioner may be filed within 36 hours from the date and time of rejection by the Commission in presence of the candidates and the decision should be given within the least possible time and the decision of the Election Commission shall be final.

(g) No member shall continue as office bearer for more than two terms in the same post consecutively.

(h) In case of any dispute regarding counting of votes before declaration of final results the Election Commissioner will decide the dispute forthwith as per their decision & then the Commission will declare the result & that shall be final.



**15. Power and functions of the President :**

The President shall be the head of the Association and shall be entitled to supervise and if necessary, supersede the acts of the other office bearers.

**16. Power and functions of the General Secretary :**

The General Secretary shall remain responsible for the over all management of the Association, which he shall discharge with the help and co-operation of the Departmental Secretaries and Auditors.

(a) Power and functions of the Joint Secretary and Vice-Presidents:

The Joint Secretary shall verify all accounts and books of accounts at the end of every calender month in addition to his other normal duties. In case of any discrepancy or irregularity he shall take immediate appropriate action in consultation with the General Secretary.

(b) The Vice-President shall supervise the over all functions of the Departmental Secretaries with the help of the General Secretary.

**17. Functions of the Departmental Secretaries :**

The Departmental Secretaries shall remain in charge of their respective department and shall work in co-operation of the General Secretary.

**18. Functions of the Running Auditor:**

The Running Auditor shall examine the accounts of the Association every week under his signature and shall remain responsible for the correctness of the accounts of the Association.

**19. Functions of the General Auditor :**

The General Auditor shall audit the accounts with reference to the vouchers and resolutions of the Association and submit a correct statement of accounts showing the income and

expenditure, of the Association for the financial year concerned. The Audit Report shall be placed before the Member units of the General Meeting for their consideration and acceptance.

**20. Honorarium of the Secretary Forms, Running Auditor and General Auditor :**

The Secretary forms, the Running Auditor and the General Auditor shall be entitled to such honorariu as may be fixed from time to time in the General meeting of the Assication.

**21. Circulation of Audit Report :**

The General Secretary shall circulate the Audit Report, amongst the member units at least two (2) days before the date of the Annual General Meeting.

**22. Convene of Meeting :**

All meetings of the Association shall be called in by the General Secretary and in his absence by the joint Secretary.

**23. Convene the Annual General Meeting & Other General Meeting :**

All meetings excepting the Annual General Meeting shall be called with clear three days notice ----- where as the Annual General Meeting shall be called with clear seven days notice. Provided that the President under special circumstances shall have power to call emergent meetings with immediate notice.

**24. Maintaining Accounts with Bank or Post Office :**

The Association shall maintain accounts with one or more Banks and Post Office in its own name and such accounts shall be operated Jointly by the President and by the General Secretary. All money exceeding Taka 1000/- should be credited with the Bank. Surplus money should be kept in fixed deposit and such deposits should not ordinarily be cashed prematurely. If any amount is necessary for withdrawal, decision shall be taken by the General Meeting before withdrawal of such amount from these heads of Accounts.



**25. Pecuniary Jurisdiction of General Secretary :**

The General Secretary shall not incur expenditure of more than Taka 5,000/- (Five Thousand) in excess of the budgetary provision without prior approval of the Association.

**26. Quorum for General Meeting :**

At least 25% of the total regular number's of member units of the Association shall form the quorum for general purpose and for considering matters contemplated in Article 39 fifty one percent of the total number of member units shall form the quorum. No General meeting shall be held without a quorum.

**27. Office Staff :**

The Association shall maintain the following staff. The Executive Committee will decide the requisite Qualification and other necessary particulars of the staff at the time of appointment.

1. One or more Clerks.
2. One or more peons
3. One Sweeper
4. One Night guar.

**28. Selling of Forms :**

The Association for the benefit of its member units shall print and sell all kinds of Forms, Vokalatnama, Hazira which are required for use in the Courts and maintain a proper accounts of all printed articles and their sale proceeds, The printing shall be done by calling tenders.

**29. Goodwill of the Association :**

The Association shall be entitled to spend its name or part of it in manners as may be decided by the member units at a general meeting from time to time.

**30. Presentation of Budget :**

Within a fortnight of the election of the office bearers of the Association every year, the General Secretary shall present a Budget Estimate of the income and expenditure of the Association for the Financial year for the approval. No expenditure, which is not provided in the Budget should be incurred without prior approval of the General body in a General Meeting.

**31. (a) Selection of President to Preside over the Meeting :**

President and in his absence the Senior Vice-President and in his absence the Junior Vice-President shall preside over all meetings of the Association, In the event of absence of the President and the Vice-Presidents the members Present shall elect one from amongst themselves for Presiding over that meeting.

(b) All meeting of the sub-committees shall be called by the convenor and shall be presided over by him or by the President or Vice-Presidents if he is a member of the sub-committee.

**32. Requisition Meeting :**

Fifty one percent of the member units of the Association may in writing specifying the agenda request the President to convene a meeting, In that case the President shall convene the same within 72 hours of such requisition.

**33. Casting Vote by President :**

All decisions shall be adopted by a majority of votes In case of a tie, the President of the meeting shall have a casting vote.

**34. Election of Office Bearers by Secret Ballot :**

The election of the office bearers shall be conducted by the election Commission by secret ballot.



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Prestige of the Association or commits offence involving moral turpitude he or they shall be liable to suffer the following actions-

(a) Warning.

(b) Censure.

The above mentioned articles 39 (a) & (b) will be enforceable on a resolution of the general meeting passed by a simple majority.

(c) Cessation of membership with forfeiture of all benefits accrued from the Association or such other action, as the Association shall determine.

The article 39 (c) will be enforceable on resolution of the General meeting passed by the 51% of the total member units.

(d) In case of particular punishable article except sub-clause (a) & (b) the category of punishment shall be decided by 51% of the total member units with reference to the gravity of the offence committed.

(e) If membership of a member unit is ceased for reasons mentioned above his further attempt to be a member shall not be considered unless approved by 51% of the total member unit. In such case he shall have to pay admission fee afresh.

(f) In case of any controversy in between the member or member units of this Association no member or member units shall institute any case or suit in any civil or criminal courts or to any other authority against any member or member units without previous sanction from the President of the Association.

### **40. Prohibition and penalties :**

No member of the Association will appear or conduct or argue or act in any case, suit, appeal or in any other proceeding in any Court, without the knowledge of the member or members already engaged on behalf of the same party.



#### **41. Privacy of the Association :**

No member shall circulate anything before the public by any means, which is detrimental for the interest of the Association.

#### **42. Ineligibility of Membership :**

The Association shall not admit any person as member of the Bar and Law Clerk of an Advocate who has been declared as tout by any competent authority or if convicted for moral turpitude by Court of law or is in service under any Authority.

#### **43. Expulsion :**

If the conduct of any member be considered unprofessional or dishonorable by the Executive Committee which in its opinion, may or is likely to prejudice the decorum and prestige of the Association or & legal profession, such member is liable to be expelled from the Association permanently and may also be subject to any other penalty as may be deemed fit by the General Body including referring his /her name to Bangladesh Bar Council for further action.

#### **44. Entitlement of pecuniary Benefit :**

If a member fails to pay his monthly subscription and other dues payable to the Association for 6 (Six) consecutive months, he or she becomes a defaulter and if he / she does not pay the arrears on or before the 10th days of the Seventh month, then on the expiry of the aforesaid 10th days he / she shall cease to be a member of the Association and forfeit all his rights and privileges of membership Provided that he / she pays all his / her dues with a fine of Taka 25/- (Twenty Five) only per month to the Association, then within three years the General Secretary shall restore his/her membership without any re-admission fee.

#### **45. Position of a member engaged in other trade, etc :**

(a) A member may suspend his membership with prior permission of the Executive Committee on the ground of his continuous absence from the profession for at least 6 (Six) months. If so happened he / She is to take prior permission from the president in writing.

Provided that no such application shall be considered unless his application is accompanied with certificate of clearance of his arrear dues from the General Secretary.

(b) A member desiring to withdraw his name from the Roll of the Association will be at liberty to do so on payment of arrear dues and he may be admitted afresh on payment of admission fee on the existing rate as per budget unless otherwise determined by the General body.

(c) A member shall lose his membership on the decision of the Executive committee if it is found from the report of the General secretary, that a member is engaged in trade, business or service other than legal profession or barred by any provision of the Bar Council Act or Rules (p.o.46/72). provided that such member shall have an opportunity of explaining his position before the Executive Committee and decision there shall be referred to the General Meeting next.

#### **46. Use of Hall Room on Rental Basis :**

The General Secretary may let the BAR Association Hall Room to any Association or individual on payment of rent as decided by the Executive Committee from time to time. In case of marriage of a member or the Association or his / her son and daughter he / she shall get the Hall free of rent but he / she shall pay a sum as incidental charges as decided by the Executive Committee from time to time.



#### **47. Resignation of Office bearers and members of the Executive Committee and cessation of membership :**

(a) All resignation letters by office-bearers except the General Secretary shall be addressed to the General secretary and in case of General Secretary to the president and on receipt of resignation letter the General Secretary shall convene a meeting of Executive Committee within 3(three) days for its consideration and acceptance or otherwise. And decision taken in the meeting of the Executive Committee shall be placed before the General Meeting.

(b) In case of resignation by the General Secretray, the President shall direct joint secrerary to convene a meeting of the Executive Committee and follow the procedure as laid down in clause (a) of this Article.

(c) In case of resignation of president, the prdsident shall convene an emergent General Meeting where in he can tender his resignation as president.

(d) In case of any office bearer or member of the Executive Committee, abstains from or fails to attend 3(three) consecutive meetings of the Executive Committee without any reasonable cause, such a member shall be asked to show cause by the president why his membership should not be ccased and if the cause shown does not appear to be reasonable and sufficient and satisfactory to the Executive Committee, the membership of such member/ office bearers shall cease. The decision taken there shall be placed for consideration and decision in the General Meeting.

#### **48. All Meetings, their Procedure and Quorum, etc :**

(a) All notices for holding meetings shall be written in a book kept for the purpose. And this will be circulated to Members.

(b) There shall be minute books for the meetings of the General body and Executive Committee separately in which the Proceedings of the respective meetings of the Association shall be recorded by the General Secretary and such proceedings shall be signed by the President of the meeting.

(c) There shall be an Annual General Meeting and a Budget meeting besides there may be special and extraordinary general meetings as and when necessary.

(d) In case of the Annual General meeting at least 07 (seven) days notice shall be required and no general meeting shall be called unless 3 (three) days notice before the date of the meeting be given except in urgent cases when general meeting may be called on a shorter notice by the president.

(e) The meeting of the Executive Committee shall be convened with 3 (three) days notice before the date of the meeting except in urgent cases when a meeting may be called on a shorter notice by the president.

(f) Eight members of the Executive Committee shall form a quorum in a meeting of the Executive Committee.

(g) All business of the Association in a meeting shall be conducted by a majority of votes cast either by raising of hands or by ballot as the president of the meeting may decide. In case of equality of votes the president of the meeting may decide. In case of equality of votes the president of the meeting shall have a casting vote.



**49. Disciplinary action against office bearers :**

Not with standing any thing contained in this constitution as regards provisions for punishment of a dilinquent member or guilty office-bearer, the Executive Committee may institute Civil or criminal cases or both against any member or office- bearer in any competent court of law whenever necessary.

**(50) Benevolent Fund Rules :**

Benevolent fund rules shall be considered as part of the Constitution.

**(51) Power to make rules :**

The Association may, by notification make rules to carry out the purposes of this Constitution.

**(52) Convention etc :**

All other matters for which no provision is made in this Constitution shall be governed by convention.

**(53) Power of the General Body :**

The General Body shall have the power to alter / change / amend any of the provision of this constitution with the changing circumstances for the better and greater interest of the Association. by the votes of not less than two third of the total numbers of members of the Association.

Allah Hafez,



**Advocate Md. Jasim Uddin Bhuyan**

General Secretary-2016

District Advocate's BAR Association, Chandpur.

Name of the Members of the Association who were the Signatories at the time of 1st publication in the year, 1975.

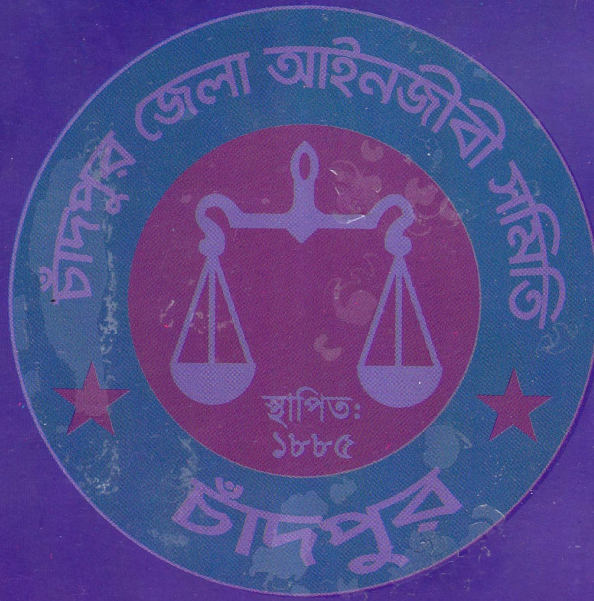
1. Mr. Md. Ayub Ali, Advocate
2. Late Mr. Md. Serajul Islam, Advocate
3. Mr. Md. Ruhul Amin, Advocate
4. Late Mr. Md. Asharafuddin Ahmed Khan, Advocate
5. Mr. Md. Fakhrul Islam, Advocate
6. Mr. Md. A.F.M. Fazlul Hoque, Advocate
7. Mr. Md. Serajul Hoque, Advocate
8. Mr. Sree Bivoti Prashad Majumder, Advocate
9. Late Mr. Md. Dawan Abdul Ali, Advocate
10. Late Mr. Md. Abdul Hamid Majumder, Advocate
11. Late Mr. Sree Kamini Kumar Shaha, Advocate
12. Mr. Md. A Gafur Majumder, Advocate
- 13.. Mr. Md. Nurul Islam (2), Advocate
14. Late Mr. Sree Ganga Charan Podder, Advocate
15. Late Mr. Md. Abdul Bari, Advocate
16. Mr. Shah Md. Obedullah, Advocate
17. Late Mr. Md. Abdul Hai Patwary, Advocate
18. Late Mr. Sree Sailandra Acharja, Advocate
19. Late Mr. Sree Nath Saha, Advocate
20. Late Mr. Md. Mahabubul Hoque Patwary, Advocate
21. Late Mr. Sree Jagenswar Majumder, Advocate
22. Mr. Mizanur Rahman Khan, Advocate
23. Mr. Md. Narul Islam (I), Advocate
24. Mr. Md. Newaj Ali, Advocate
25. Mr. Md. Easin, Advocate
26. Mr. Md. Latfur Rahman Khan, Advocate
27. Late Mr. Sree Anukul Chandra Dutta, Advocate

28. Late Mr. Md. Muslim, Advocate
29. Late Mr. Md. Abdul Matin Patwary, Advocate
30. Late Mr. Md. Maqbul Ahmed, Advocate
31. Late Mr. Md. Habibullah, Advocate
32. Mr. A.Z.M Moinuddin Mia, Advocate
33. Mr. Shek Md. Habibur Rahman, Advocate
34. Mr. Md Kamaluddin, Advocate
35. Mr. Md. Fazlul Haque, Advocate
36. Mr. A.B.M. Monower Ullah, Advocate
37. Mr. Md. Jahangir Akhand, Advocate
38. Late Mr. Md. Abdul Awal, Advocate
39. Late Mr. Md. Abul Fazal, Advocate
40. Mr. Md. A.K.M. Habibur Rahman, Advocate
41. Late Mr. Md. Abdul Hakim, Advocate
42. Late Mr. Sree Bimal Chandra Basu, Advocate
43. Late Mr. Sree Barada Prasanna Majumder, Advocate
- 44.. Late Mr. Md. Taher Ahmed, Advocate

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**Late Asrafuddin Ahmed Khan**   **Late Abdul Matin Patwary**  
President                                      Secretary





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