



# DISTRICT BAR ASSOCIATION

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 🌐 www.dbabarasat.in  
 ✉ secretary@dbabarasat.in

Ref. No. ....

Date 17.5.2023

## THE CONSTITUTION OF DISTRICT BAR ASSOCIATION, BARASAT, NORTH 24 PARGANAS.

(As amended vide resolution dated 17.05.2023)

### 1. NAME:

The name of the Association is and shall be 'District Bar Association, Barasat, North 24 Parganas'.

### 2. ADDRESS

The office of the Association is and shall be at District Bar Association, Barasat, North 24 Parganas, Rishi Bankim Sarani, P.O. & P.S. Barasat, District North 24 Parganas, Kolkata 700124.

### 3. DEFINATION

The terms used in this constitution shall unless the context otherwise requires or are contrary and/or repugnant to the context means and includes the following:

- 'ASSOCIATION' mentioned in this constitution shall mean "District Bar Association, Barasat, North 24 Parganas".
- 'DOMAIN' mentioned in this constitution shall mean <https://dbabarasat.in/>

General Secretary  
 DISTRICT BAR ASSOCIATION  
 Barasat, North 24 Parganas  
 Kolkata-700124

President  
 DISTRICT BAR ASSOCIATION  
 Barasat, North 24 Parganas.



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- c) 'EXECUTIVE COMMITTEE' mentioned in this constitution shall mean the elected body of the Association consisting of 17 (seventeen) members.
- d) MISCONDUCT mentioned in this constitution shall include
- Violation of the Resolutions by the Member of the Association passed in any Meeting of the Executive Committee and/or General Body or in any other meeting of the Association.
  - Nonpayment of donation or contribution by the member of the association in the Vakalatnama as may be prescribed time to time by the Executive Committee as mention in Clause 11B.
  - Such other acts, deeds and restrictions as may be declared by The Bar Council of India or The Bar Council of West Bengal or Hon'ble High Court at Calcutta and Hon'ble Supreme Court of India.
  - Using, pasting, displaying and posting in electronic media of political photos and banners during the election of the Executive Committee of this Association.
  - Any other acts and restrictions as may be defined by the Executive Committee.
- e) 'QUALIFIED MEMBER' mentioned in this constitution in relation to vote means and includes a member who is not a Defaulter in payment of his/her monthly subscription for last three months and the new member must be on the roll for the last 4 (four) months before the date of election is declared.

General Secretary  
DISTRICT BAR ASSOCIATION  
Barasat, North 24 Parganas  
Kolkata-700124

*Manish Mukherjee*

President  
DISTRICT BAR ASSOCIATION  
Barasat, North 24 Parganas,  
Kolkata-700124

*Uma Pal Chatterjee*



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- f) The applicant for membership of this Association must be fair without having any previous bad records or any involvement or any criminal activities or whatsoever.

#### 4. SAVINGS AND CLARIFICATIONS

- Singular shall include the plurals and vice versa.
- Masculine gender shall include the feminine and neuter gender and vice-versa.
- Any alteration or modification or change of the Constitution and / or resolution and/or regulations and / or rules and/or by laws will take immediate effect except otherwise specifically stated.
- If there is dispute regarding interpretation of the Constitutions then the objects of the Constitution as mentioned herein below shall be taken into Consideration for finding the true meaning.

#### 5. THE OBJECTS OF ASSOCIATION

- Primarily to safe guard the individual and collective interest of the Members of this Association and to up-hold and maintain the prestige, dignity and tradition of the Association.
- To promote the development of legal science and studies and to watch legislation for the purpose of assisting in the progress of sound legislation.
- To safeguard and promote the interest of the legal profession and its Members in general and of the Members of the Association in particular.

*Shreeyash Mukherjee*  
 General Secretary  
 DISTRICT BAR ASSOCIATION  
 Barasat, North 24 Parganas  
 Kolkata- 700124

*Uma Kalyan Chatterjee*  
 President  
 DISTRICT BAR ASSOCIATION  
 Barasat, North 24 Parganas.



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- d) To promote a high professional ton, standard and conduct amongst the Members of the legal profession and to check unprofessional practices.
- e) To maintain a library of legal literature and of other subjects likely to be useful to the Members of the Association.
- f) To provide a meeting place and sitting accommodation for the Members of the Association particularly for study and discussion of law.
- g) To bring to the notice of the Bar Council, the Ld. District Court, Hon'ble High Court at Calcutta, the Hon'ble Supreme Court of India or the Central or State Governments the matters affecting the legal profession in general and Members of the Association in particular.
- h) To prepare and implement schemes for giving assistances to Member or their families in distressed circumstance including medical emergencies.
- i) To protect the independence unity and autonomy of the Bar so provided under Advocates Act.
- j) To safeguard the rights, privileges and interests of the Members of the Association.
- k) To promote the growth of Association or the purposes of effective implementation of the welfare scheme framed by the Association as well as the Bar Councils.
- l) To promote and support Law reforms to conduct seminars and organize talk, on legal topics by eminent jurists and public journals and papers of legal interest.
- m) To organize legal aid to the distressed in the prescribed manner to manage and invest the funds of the Bar Association.
- n) To protect constitution and law of the land.

*Shankh Mukherjee*  
General Secretary  
DISTRICT BAR ASSOCIATION  
Barasat, North 24 Parganas  
Kolkata-700124

*Uma Randa Chatterjee*  
President  
DISTRICT BAR ASSOCIATION  
Barasat, North 24 Parganas



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- o) To do all such acts or take such steps as might be necessary for the wellbeing of the Association and its Members, or for the fulfillment of these objects as stated above.

## 6. ELIGIBILITY TO BE A MEMBER OF THE ASSOCIATION

All persons who have obtained a Bachelor's degree in law from any recognized University established by law in India and all Legal Practitioners who are authorize to practice before the Court of Law by The Bar Council of India or The Bar Council of West Bengal or Hon'ble High Court at Calcutta and Hon'ble Supreme Court of India and subject to approval of the Executive Committee of the Association will be eligible to be Members of the Association.

## 7. DISQUALIFICATION OF MEMBERSHIP OF THE ASSOCIATION

Members of the Executive committee shall be entitled to refuse to enroll any person as a member of this Association, on the following grounds: -

- if the person applying for enrolment is found to be guilty of moral turpitude or
- if he was convicted in a criminal case for any period or suffered rigorous imprisonment within a period of one year next before the completion of the sentence or
- any other reasons which the Executive Committee thinks it fit and proper

PROVIDED that reasons for any such refusal shall be recorded in the minutes books of the Association.

General Secretary  
DISTRICT BAR ASSOCIATION  
Barasat, North 24 Parganas.

*Shankar Chakrabarti*

PRESIDENT  
DISTRICT BAR ASSOCIATION  
Barasat, North 24 Parganas.

*Uma Pal Chatterjee*



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**PROVIDED** further that the person who has been refused for enrolment by the Executive Committee may prefer an appeal before the President of the Association within a period of 15 (fifteen) days from the date of refusal of enrolment by the Executive Committee and the President shall ask the General Secretary to place the same at the next following Annual General Meeting of the Association and the decision taken in the said Meeting shall be final and binding.

## 8. PROCEDURE OF BECOMING A MEMBER

Upon application on a specified format and payment of prescribed fees being not less than Rs. 3,000/- or any other fees and / or donations as may be determined time to time by the Executive Committee and subject to approval of the Executive Committee he will be enlisted in the Member Registrar of the Association. Upon Registration in the Member Registrar of the Association he will be termed as Member of the Association.

After becoming a member, he may apply in our DOMAIN at <https://dbabarasat.in/member-registration/> for registering and displaying his name, photo and email id. That after verification the same will be approved.

## 9. CLASSIFICATION OF MEMBERS OF THE ASSOCIATION

A. Member: - being a member whose name is appearing in the Member Registrar of the Association.

*Shankar Mukherjee*  
 General Secretary  
 DISTRICT BAR ASSOCIATION  
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*Uma Pal*  
 President  
 DISTRICT BAR ASSOCIATION  
 Barasat, North 24 Parganas  
 Kolkata-700124



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① secretary@dbabarasat.in

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B. Life Member: On payment of the sum or sums to be determined & fixed from time to time by the Executive Committee of the Association as stated above every member shall have the right to be a Life Member of this Association.

## 10. INVALIDATION OF MEMBERSHIP FROM THE ASSOCIATION

Membership from the Association shall be terminated on the following grounds: -

- by resignation rendered to and accepted by the Executive Committee;
- for conviction for an offence involving moral turpitude;
- by death, insanity, loss of necessary qualification of membership and
- for non-payment of monthly subscription as stated in the Constitution consecutively for 12 (Twelve) months.
- by act of any member which may likely to lower the prestige, dignity and status of the Association.
- by expulsion by the Association for any reasons as Executive Committee may think it just and proper;

Provided that the person who has been expunged as member of the Association may prefer an appeal to the President of the Association within a period of 15 (fifteen) days from the date of expunging of membership and the president shall ask the General Secretary to place the same at the meeting and the General Secretary may either place it before the next following Executive Committee Meeting or Annual General Meeting of the Association

General Secretary  
DISTRICT BAR ASSOCIATION  
Barasat, North 24 Parganas  
Kolkata-700124

*Pradyumn Chakrabarti*

President  
DISTRICT BAR ASSOCIATION  
Barasat, North 24 Parganas.

*Uma Kanta Chatterjee*



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# DISTRICT BAR ASSOCIATION

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www.dbabarasat.in  
secretary@dbabarasat.in

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for taking the decision and the decision taken in the Annual General Meeting shall be final and binding.

Upon termination of the membership for the foregoing reasons his name will be struck off from the Member Registrar of the Association by red ink after the expiry of 30 (thirty) days.

On the cessation of the Membership, the Member concerned shall be permanently debarred from enjoying any benefit or advantage or privilege of this Association.

## 11. RIGHTS AND DUTIES OF THE MEMBERS OF THE ASSOCIATION

The members of the Association shall enjoy the rights subject to fulfilling the duties:-

- A. Every Member of this Association except Life Member shall have to pay a subscription at the rate of Rs. 20/- (Rupees twenty) only per month including benevolent fund with effect from 1<sup>st</sup> January, 2024 or at any other rate which may be fixed from time to time by the Association in its General Meeting.
- B. Every Member of this Association including Life Member shall pay @ Rs. 1 (one) Rupee per VAKALATNAMA or as may be fixed by the members of the Executive Committee at a Meeting or donation or contribution as VOKALATNAMA FEES, Development fees, etc. for the best interest of the Association.

General Secretary  
DISTRICT BAR ASSOCIATION  
Barasat, North 24 Parganas  
KOLKATA-700124

*Manish Mukherjee*

President  
DISTRICT BAR ASSOCIATION  
Barasat, North 24 Parganas.

*Uma Kola Chatterjee*





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- C. To elect and to be elected in any election of the Association;
- D. To pay his subscription within the prescribed time;
- E. To participate in all the efforts of the Association;
- F. To attend all the General Meetings of the Association;
- G. To uphold the ethical principles of the Profession;
- H. To follow and adopt the Resolution of the Association;
- I. To maintain the integrity of the Association;
- J. To use & enjoy the Library of the Association subject to the Rules of the Association;

## 12. OFFICE BEARERS

From amongst the Members of the Association there shall be the following office bearers w.e.f. 01.01.2024 who shall be elected in the General Meeting to be held every after the expiry of two years to be held within the 31<sup>st</sup> January of the said year.

- I. President (One Post)
- II. Vice-President (One Post)
- III. General Secretary (One Post)
- IV. Treasurer (One Post)

*Shashi Mukherjee*  
General Secretary  
DISTRICT BAR ASSOCIATION  
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*Uma Kanta Saha*  
President  
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- V. Joint Secretaries (Three Posts)
- VI. Assistant Secretaries (Three Posts)
- VII. Executive Committee Members (Seven Posts)

PROVIDED that in absence of the General Secretary one of the Joint Secretaries shall perform all duties of the General Secretary as may be decided by the Executive Committee.

PROVIDED further that in case of any interim vacancy, the remaining Members of the Executive Committee shall be entitled to co-opt any other duly qualified Member in place of the vacant-posts. In case of any vacancy of the office Bearers, the Association in a Special General Meeting shall elect a member of the Association to fill the vacancy.

PROVIDED further that in case of difference of opinion, the decision of the majority in all cases shall be final and binding.

### 13. QUALIFICATION OF OFFICE BEARERS

The office bearers shall have the following qualifications to contest the respective post in the election for the EXECUTIVE COMMITTEE of the ASSOCIATION.

1. A president - Any member who at least has practiced for a period exceeding 15 (fifteen) years and who is a member of this Association for at least 10 (ten) years shall be eligible for election as PRESIDENT of this association.



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- ii. A Vice-President - Any member who at least has practiced for a period exceeding 15 (fifteen) years and who is a member of this Association for at least 10 (ten) years shall be eligible for election as VICE PRESIDENT of this association
- iii. A General Secretary - Any member who at least has practiced for a period exceeding 10 (ten) years and who is a member of this Association for at least 8 (eight) years shall be eligible for election as GENERAL SECRETARY of this association.

PROVIDED further that no Member shall seek re-election for the same post consecutively for more than 2 (two) terms in same post but she / he will have the right to seek election for any post other than the post he / she held twice consecutively.

#### 14. TENURE OF EXECUTIVE COMMITTEE

The executive committee will act as the Office Bearers for a period of 2 (two) years) and the Election will be conducted in every after 2 (two) years.

It is clarified that on and from the date of declaration of results, the Elected Office Bearers by the Election Commissioner the Elected Members shall function as members of the Executive Committee up till the next election.

#### 15. THE PRESIDENT

- A. The President shall be head of the Association.

General Secretary  
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President  
 DISTRICT BAR ASSOCIATION  
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secretary@dbabarasat.in

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B. He shall, if present, preside over all meetings of the Association including formal and ceremonial matters concerning the Association.

C. He shall give the casting vote in case of equality of votes at any meeting of the Association.

D. He shall Perform such other functions as might be required.

## 16. THE GENERAL SECRETARY

The General Secretary subject to the supervision of the President and control of the Executive Committee, shall

- a) Represent the Association whenever a formal representation is necessary;
- b) Realize all dues of the Association from its Members;
- c) Call meetings of the Association viz-ordinary, Extraordinary, Special, Annual;
- d) Keep the Minutes of the proceedings of the Association;
- e) Appoint, Dismiss, or Punish the Clerks if any, or the Servants of the Association subject to the approval of the Executive Committee;
- f) Be in-charge of all the Assets of the Association;
- g) Keep and maintain Books, Registers and allied permanent records;
- h) The General Secretary with the Treasurer shall deposit and operate all savings Bank Account for and on behalf of the Association. All money of the Association shall be deposited

*Shakti Mukherjee*  
General Secretary  
DISTRICT BAR ASSOCIATION  
Barasat, North 24 Parganas  
Kolkata-700124

*Uma Saha Chatterjee*  
President  
DISTRICT BAR ASSOCIATION  
Barasat, North 24 Parganas.



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General Secretary  
 DISTRICT BAR ASSOCIATION  
 Barasat, North 24 Parganas  
 Kolkata-700124

- in the Savings Bank Account provided that he shall be entitled to retain in his hand the maximum amount of Rs. 10,000/- (ten thousand) only as contingent Cash;
- i) Pay wages of the clerk, servants and meet all other "Disbursements";
  - j) Carry on all correspondence and prepare budget, Execute the resolution of the Executive Meeting;
  - k) Comply with all directions and resolutions of the "Association";
  - l) Conduct and manage all affairs of the Association in general;
  - m) Enroll new members subject to the approval of the Executive Committee;

The General Secretary shall divide the duties by constituting different sub committees among the members of the Executive Committee on the first day of the Executive Committee meeting of the newly elected committee.

As soon as the Executive Committee is formed the outgoing General Secretary shall make over all charges including books of accounts etc., of the association to the incoming General Secretary not later than 7 (seven) days from date of formation of the new committee.

17. The **TREASURER** subject to the supervision of the **GENERAL SECRETARY** and control of the **EXECUTIVE COMMITTEE** shall: -

- a) Maintain accounts of receipts and expenditures;

President  
 DISTRICT BAR ASSOCIATION  
 Barasat, North 24 Parganas,



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 📧 secretary@dbabarasat.in

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- b) Maintain day to day books of accounts, receipts and expenditure of the Association;
- c) Place accounts of the Association before the Executive Committee in every meeting when asked for by the Secretary;
- d) Get the accounts of this Association guided by the appointed AUDITOR at the end of each year and to produce before yearly General Meeting.

18. The **JOINT SECRETARY/SECRETARIES** subject to the supervision and control of the Executive Committee shall be of 3 (three) in number and shall:-

- A. Be in charge of the library and e library;
- B. Maintain registrars and catalogs of books;
- C. Select and purchase all necessary law books and journals both Civil and Criminal.
- D. Supervise, issue and return of books and journals;
- E. Prepare schemes of development of the library and its stock of books;

19. The **ASSISTANT SECRETARIES** subject to the supervision and control of the Executive Committee shall be of 3 (three) in number and shall: -

- A. Assist the General Secretary and Joint Secretaries;
- B. Realize the Vakalatnama collections, collection from judicial affidavits, sale of logo and other allied collections;
- C. Shall keep and maintain accounts of such collection and deposit collected amounts to the treasurer day to day through staffs of the Association.



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www.dbabarasat.in  
secretary@dbabarasat.in

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20. The **EXECUTIVE COMMITTEE** shall be of 7 (seven) in number and shall: -

- Have the General Power of the Supervision and control over the management of the affairs of the Association;
- Formulate or revise the policies of the Association subject to the approval of the members of the Association;
- Scrutinize and prepare the Budget for the next year and Accounts of the closing year to be placed in the yearly **GENERAL MEETING** of the Association;
- Meet at least once in a month.

21. **AUDITOR**

An "AUDITOR" shall be appointed annually by the Members of the Association in the Association in the 2<sup>nd</sup> ANNUAL GENERAL MEETING of the Association from amongst the members.

22. **MEETING OF THE ASSOCIATION**

The meeting of the Association shall be ordinary, Extra-ordinary, special, annual or on requisition: -

- Ordinary meeting shall be held once in a quarter or as often as may be necessary;
- Extra-Ordinary meeting will be held for emergent business only;
- Special meeting may be held for special purpose only;
- Annual meeting shall be held before the 31<sup>st</sup> day of January every year for all purpose and the Election of "OFFICE BEARERS AND MEMBERS" of the Executive Committee and for consideration of the

General Secretary  
District Bar Association  
Barasat, North 24 Parganas  
Kolkata-700124

President  
District Bar Association  
Barasat, North 24 Parganas.



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accounts together with the Secretaries report and Audit report will be held on 2<sup>nd</sup> year Annual General Meeting;

- e) Requisition meeting will be held on the requisition of 1/8<sup>th</sup> (one eighth) number of members on the roll of the Association for the purpose stated herein.

ALL MATTERS shall be decided by majority of Votes of the members present in the meeting. In case of Equal Votes, the matter shall be decided by the casting votes of the President of the Meeting.

## 23. PERIOD OF NOTICE OF MEETING OF THE ASSOCIATION: -

- a) For ordinary meetings, three days;  
b) For an extra ordinary meeting, one hour in course of the day;  
c) For annual or special meeting, seven days;  
d) For requisition meeting, two days;  
e) For executive meeting, three days.

## 24. QUORAM OF MEETING OF THE ASSOCIATION

- a) 1/3<sup>rd</sup> (one third) of the members in an ordinary meeting;  
b) 1/4<sup>th</sup> (one fourth) of the members of the extra ordinary meeting;  
c) 1/2<sup>nd</sup> (one half) of the members in an annual requisition meeting;  
d) 1/2<sup>nd</sup> (one half) of the members in the special meeting;

PROVIDED THAT meeting having failed for want of Quorum shall be adjourned and no quorum, will be necessary in an adjourned meeting.

*Shankh Mukherjee*  
General Secretary  
DISTRICT BAR ASSOCIATION  
Barasat, North 24 Parganas  
Kolkata-700124

*Uma Saha*  
President  
DISTRICT BAR ASSOCIATION  
Barasat, North 24 Parganas.





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www.dbabarasat.in  
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## 25. PRESIDENT OF MEETING OF THE ASSOCIATION

- President shall always preside on all meetings. In case of his absence the Vice-President shall preside;
- In case of absence of both the President and Vice-President, a President for the meeting shall be Co-opted from among the members present for transacting the business of the meeting;
- Election will be held under the supervision of the Vice President of the Bar Association.
- The Annual General Meeting for holding the Election will be presided over by the Election Commissioner.

*Arak Mukhi*  
General Secretary  
DISTRICT BAR ASSOCIATION  
Barasat, North 24 Parganas  
19/Barasat-700124

## 26. ELECTION

### A. DATE OF ELECTION

The election or the re-constitution of the Executive Committee of the Association, would be held not later than the 31<sup>st</sup> day of January of the expiring second year among the qualified members of the Association to be declared by the outgoing Executive Committee.

### B. FORMATION OF ELECTION COMMISSIONER

The Executive Committee will select one Election Commissioner for making all arrangement for the election in the last executive meeting of the association. The Commissioner must be amongst the qualified

*Uma K. Chatterjee*  
President  
DISTRICT BAR ASSOCIATION  
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members but must not be for contesting election in any office bearer post in that year.

### C. FORMATION OF ASSISTANT ELECTION COMMISSIONERS

The Election Commissioner will also select any such number of qualified members to assist the Election Commissioner in holding the Election.

### D. NOTICE OF ELECTION

The date of election will be notified 21 (twenty one) days before the date of election in the Notice board of the Association or in the notice board of the domain by the outgoing Executive Committee.

### E. ELECTION IN CHARGE

The Vice-President shall be in-charge of the General Election of the Executive Committee. He will scrutinize the list of Voters to be prepared by the General Secretary and he shall countersign the same before its publication.

### F. PUBLICATION OF THE VOTER LIST

Final voter list has to be published three weeks before the date of election in the Notice board of the Association.

### G. SUBMISSION OF NOMINATION PAPER

The Election Commissioner shall prepare nomination paper form and will issue the same. Member seeking to contest election must submit

*Shanku Halder*  
General Secretary  
DISTRICT BAR ASSOCIATION  
Barasat, North 24 Parganas  
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*Uma Kanta Ghosh*  
President  
DISTRICT BAR ASSOCIATION  
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Kolkata-700124



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nomination papers within such time and date as may be specified by the Election Commissioner but the same must be not less than 7 (seven) days before the date of Election to the Election Commissioner within 4.30 P.M. on any working day fixed for submission of nomination papers.

*Shresh Mishra*  
General Secretary  
DISTRICT BAR ASSOCIATION  
Barasat, North 24 Parganas  
Kolkata - 700124

### H. FEES:

A candidate seeking to contest the election shall collect nomination form on payment such price as may be determined by the Learned nominated election Commissioner. A non-refundable amount as Nomination Fees for the posts will also be determined by the Learned Election Commissioner and the intending candidates have to pay the same.

### I. PROCEDURE OF FINALIZING THE LIST OF CANDIDATES.

The election commissioner within 3 (three) days from his appointment shall fix the following final dates:

- i. Final date of withdrawing the nomination for contesting the election.
- ii. Final date of submitting the nomination papers.
- iii. Final date of withdrawing the nomination paper.
- iv. Final date of scrutiny of nomination papers.
- v. Final date of publishing the final voter list.
- vi. Date of counting.

*Uma Saha*  
President  
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Provided that candidates may withdraw his or her candidature / nomination papers before the date of scrutiny but not otherwise.

Provided further that nominations papers will be scrutinized by the election commissioner with the help of Assistants as selected by him on the day fixed by the election commissioner.

Provided further that final list of candidates contesting the election must be published 7 (seven) days before the date of election.


## J. BALLOT PAPER AND VOTE

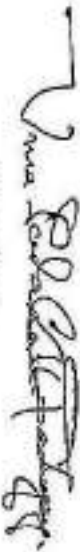
Election commissioner will prepare the ballot paper and the Votes will be taken by secret ballot in a single day by putting against the name of chosen Candidate. If the intention of the ballot is clear then the ballot will be taken as valid.

## K. COUNTING OF BALLOT AND DECLARATION

Ballot papers will be counted by the Election Commissioner with the help of Assistant commissioners or by any member from the Association, if necessary, in the presence of the candidates and their agents.

The results of Election will be announced immediately after the counting of the Ballot papers publicly in the same sitting.

  
 General Secretary  
 DISTRICT BAR ASSOCIATION  
 Barasat, North 24 Parganas  
 Kolkata-700124

  
 President  
 DISTRICT BAR ASSOCIATION  
 Barasat, North 24 Parganas



# DISTRICT BAR ASSOCIATION

1159

☎ Mobile : 7439542042  
🌐 www.dbabarasat.in  
✉ secretary@dbabarasat.in

Ref. No. ....

Date 17.5.2023

## 27. AMENDMENT OF THE CONSTITUTION AND FRAMING OF RULES

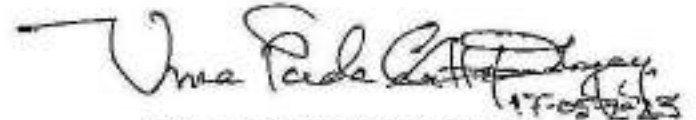
The Executive Committee shall have power to frame Rules for the smooth working of the Association.

The Association shall have power to add, modify, frame, amend or delete any of the provisions of this constitution in a special meeting convened for the purpose.

  
17.5.23  
Tarak Mukherjee

General Secretary

General Secretary  
DISTRICT BAR ASSOCIATION  
Barasat, North 24 Parganas  
Kolkata-700124

  
17.5.23

Umapada Chattopadhyay

President

President  
DISTRICT BAR ASSOCIATION  
Barasat, North 24 Parganas.