

भारतीय गैर न्यायिक

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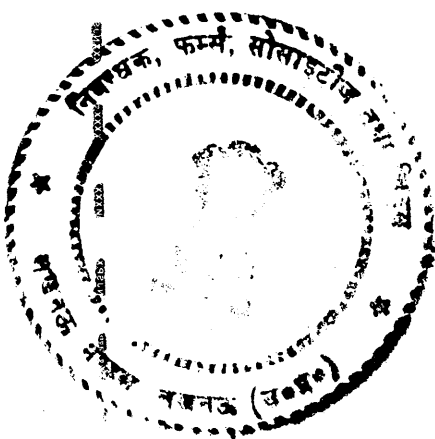
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यह जमानत दस्तावेज सिविल टैक्स कोर्ट के समक्ष है।

जिला लखनऊ 130500
हस्ताक्षर निपमावली
होनायक अखिल है।



सत्य प्रतिलिपि

वरिष्ठ सहायक
कार्यालय डिप्टी रजिस्ट्रार
फार्म सोसाइटीज तथा चिट्स
लखनऊ, मुण्डल, लखनऊ

130716

CONSTITUTION OF SALES TAX BAR ASSOCIATION, LUCKNOW AS AMENDED ON DATED 07 JUNE, 2013

(A Society Registered under the Societies Registration Act No.XXI of 1860, as applicable to the Territory of Uttar Pradesh)

1. **NAME** ; The name of the ASSOCIATION will be "SALES TAX BAR ASSOCIATION", Lucknow.
2. **REGISTERED OFFICE** : -The registered office of the society at present is situated at Adhiwakta Kaksh, Fourth floor, Commercial Tax Office, 5- Meerabai Marg, Lucknow(U.P.) 226001.

The Sales Tax Bar Association hereinafter called 'The Association' shall be registered under Societies Act, 1860 and shall consist of all those persons who have signed the Memorandum of association and are members and all others who have become members under erstwhile Association by whatever name called and continue to be member and are involved in all kinds of Courts, Tribunal, bodies, authorities involving taxation matters.

3. **AIMS AND OBJECTS:**

The aims and objects for which the Association shall work includes:-

- (i) To protect and enlarge the privileges, rights, interests and prestige of the Association and its members.

- (ii) To promote cooperation amongst members of the Association and with other Association of Advocates.

- (iii) To promote and maintain a high standard of conduct amongst members of the Bar.

- (iv) To inculcate the sense of discipline amongst the members of the Association and to take/initiate disciplinary action against the erring advocates whenever required.

- (v) To undertake activities which may help to develop the moral values amongst the members.

- (vi) To organize Seminars, Symposia, discussions, debates on the contemporary issues of social and legal relevance.

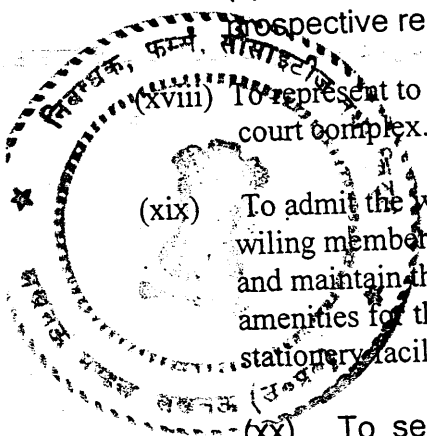
- (vii) To express opinion on proposed legislations/amendments' if any and other matters of interest of association.

ARUN PRAKASH MISHRA
PRESIDENT
Sales Tax Bar Association
Lucknow

ASHOK KUMAR GUHA
ADVOCATE
SECRETARY
SALES TAX BAR ASSOCIATION
LUCKNOW

वरिष्ठ सहायक
कार्यालय-डिप्टी रजिस्ट्रार
फर्म रीसाइटीज तथा बिहस
1307/16 मण्डल, लखनऊ

- (viii) To strive for judicial reforms in updating of the law and to forward proposals to the Government for suitable legislations on the subjects.
- (ix) To take necessary steps to prevent abuse of law and mal-administration of justice and to suggest remedial measures through the representations and peaceful means.
- (x) To make representation from time to time to the authorities on matters affecting the Bar and the interest of its members.
- (xi) To make the representation, to hold, to promote, to organize and participate in All India, and International Lawyers Activities concerning the legal fraternity.
- (xii) To establish and maintain an adequate library/internet library of books, journals, notifications and circulars etc. for the use of the members and to provide better working conditions in the courts.
- (xiii) To get the required sanction and allotment of Chambers and supervise the use of the chambers by the members and to deal with the connected matters.
- (xiv) To publish journals, souvenirs and papers of legal interest etc.
- (xv) To organize legal aid to the poor.
- (xvi) To constitute vigilance committees, to expose corruption, malpractice etc. in the functioning of courts and judicial set up.
- (xvii) To constitute welfare funds or more funds for the purpose of :
- (a) Giving financial assistance and to launch welfare schemes for the indigent, disabled and other needy advocates in case of serious illness or sudden demise on the recommendations of the Screening Committee constituted for approval of the said financial assistance.
- (b) Giving financial assistance to the needy/new entrants to the profession provided that the prospective recipient of the assistance is the member of the Association.
- (xviii) To represent to the authorities about the problems of advocates, functioning/facilities in the court complex.
- (xix) To admit the willing advocate to be the member of the S.T.B.A provided that the said willing member is not ordinary member of any other District Bar Association. To prepare and maintain the membership register of the association. To make arrangement for comfort and amenities for the members of the association by providing canteen facilities, parking space, stationery facilities, typing and Photostat facilities etc.
- (xx) To send the requisite list of the members to the appropriate authorities for the appointment of Local Commissioner, Oath Commissioner and to approve the application of



SALES TAX BAR ASSOCIATION
LUCKNOW
PRESIDENT
SECRETARY

(Signature)

ASHOK KUMAR GUHA
ADVOCATE
SECRETARY
SALES TAX BAR ASSOCIATION
LUCKNOW

वरिष्ठ सहायक

कार्यालय डिप्टी सजिस्टार
मेन्स सोसाइटीज तथा विद्वत्

प्रिन्सिपल, लखनऊ

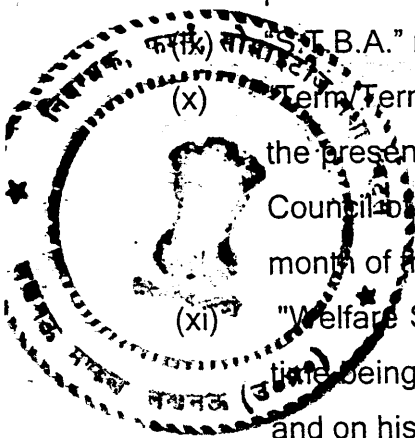
the members for appointment of Notary Public, for mediation and for appointment as a receiver etc.

(xxi) To adopt all such other measures as may be necessary or incidental to carry out all or any of the aforesaid aims and objects.

4. DEFINITIONS :

Unless the context otherwise provides the following provisions in the constitution and the rules made there under shall mean.

- (i) "Bar Association" means an Association registered under Society Registration Act 1860 and also affiliated to Bar Council in accordance with the rules framed by State Bar Council for the purposes of these rules, and in accordance with the Model Bye Laws called the Constitution
- (ii) By Laws & Rules : refers to the Constitution of the Bar Association.
- (iii) "Elders Committee" means a Committee the composition of which is mentioned in Bye-Laws no. 21 of these rules.
- (iv) "Executive Committee or any other Committee" by whatever name called, means a body to manage the affairs of the Association.
- (v) "General Body" means a body comprising of all the members of the Association.
- (vi) "Member" means an honorary member, life member, non resident member and ordinary member as mentioned in relevant rules except terminated member.
- (vii) "Month" means a month reckoned according to British Calendar;
- (viii) "Place of Practice" The Advocate shall be deemed to the ordinarily practicing at the place which is given in his address in Electoral Role.
- (ix) "S.T.B.A." means Sales Tax Bar Association, Lucknow.
- (x) "Term/Terms & Conditions, date of Commencement". The term/terms & conditions of the present Consitution shall come into force from the date of it's approval by the Bar Council of U.P. (and registered by the Registrar of Societies & chit Funds within one month of the formation).
- (xi) "Welfare Scheme" shall mean and include any scheme framed under any law for the time being in force to provide financial help, by whatever name called, to an Advocate and on his death to a person entitled under Rules.
- (xii) "Year" means an year reckoned according to the British Calendar.



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सत्य प्रतिलिपि
PRESIDENT
वरिष्ठ सहायक
कोषालय डिप्टी रजिस्टार
फार्मस सोसाइटीज तथा विद्वत्
लखनऊ (उत्तर प्रदेश)
SECRETARY
TAX BAR ASSOCIATION
LUCKNOW
ADVOCATE

Explanation :

- (1) Words importing singular number shall include the plural number and vice-versa.
- (2) Masculine gender shall include the feminine gender.

5. CLASSES OF MEMBERSHIP

The Association shall have the following classes of members;

- (a) **Honorary Member:** being or having been a member of the legal profession who, because of distinguished achievement of services to the cause of law or the legal profession, has been admitted, by the Association as an honorary member.
- (b) **Non-Resident Member:** being an advocate not ordinarily practicing in that Court, who has been admitted by the Executive Committee under Rule 8 as a non-resident member, or is such a member under these Rules. The Advocate General of Uttar Pradesh, if he is not already a member, shall be admitted as a Non-Resident Member.
- (c) **Ordinary Member:** being an Advocate on the Rolls of the register of Sales Tax Bar Association regularly practicing in that Court and who has been admitted by the Executive Committee under Rule 6 as ordinary or is such a member under these Rules.
- (d) **Life Member:** An Ordinary member who has put in minimum period of 25 years

with the Association may be admitted as Life Member after payment of Rs. 25,000/-.

Explanation : A Life Member of the erstwhile Sales Tax Bar Association shall be deemed to have become Life Member of the present Association.

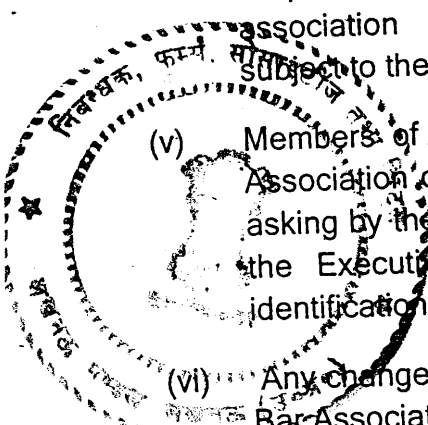
Note:- All the applicants enrolled before 1993 shall have to declare that they are the members of Bar Council of India Advocates Welfare Fund Rule 40.

6. MEMBERSHIP

ASHOK KUMAR OJHA
ADVOCATE
SECRETARY
SALES TAX BAR ASSOCIATION
LUCKNOW

सत्य विलिपि
विविध सहायक
वाणिज्य डिप्टी रजिस्टार
कमर्स सोसाइटीज तथा बिइस
सेक्टर, मिण्डल, लखनऊ

- (i) Any Advocate on the rolls of the U P Bar Council who wishes to become the member of the Association, his name and antecedents should be proposed and seconded by two members of S.T.B.A having five year standing respectively by making an application in the prescribed form in this regard which is to be accompanied by his latest photograph in triplicate and a copy of the certificate of enrollment issued by the Bar Council of U P on payment of Rs.100/- as admission fee and other necessary charges including the subscription for one year in advance provided that the Committee may for the reasons to be recorded in writing refuse, to admit such persons to its membership.
- (ii) An advocate applying for the membership of the association shall be required to show the original of the enrollment certificate issued by the Bar Council of U P along with the proof of law degree at the time of the admission.
- (iii) On receipt of the application from the advocate, the secretary of the association shall immediately display the notice on the notice board informing the members of the association about the said advocate having applied for the membership of the association and invite objection if any to his membership within one week of the display of the notice on the notice board. The application of the advocate for the membership shall be placed before the Executive Committee thereafter and the said advocate shall be made the member of the association by the Executive Committee provided that unless for reasons to be recorded the Executive Committee may refuse to admit the said person to its membership.
- (iv) Once this Constitution is adopted by approval of General Body Meeting, the advocates who are ordinary members of any other District Bar Association or enrolled with any Bar Council other than U P Bar Council shall not be eligible and will not be permitted to become the ordinary member of S.T.B.A. Except that such an Advocate may be made member without any power to vote in the Elections. The committee is authorized to suspend the process of admission/re-admission of the advocates as member of this association for a period which the committee may deem proper and necessary subject to the approval of the General Body Meeting.
- (v) Members of the association shall keep and carry their Identity card issued by the Association or Bar Council of U P and shall be obliged to show their Identity card on asking by the security persons at the gate of the Court's building or to the members of the Executive Committee or to any authorized persons to ensure the proper identification of the member of the Bar or Bar Council U P whichever the case may be.
- (vi) Any change in the residential or office address of the member should be notified to the Bar Association by the member within one month of such change.



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सत्य प्रतिलिपि
 ASHOK KUMAR GUHA
 ADVOCATE
 SECRETARY
 U.P. BAR ASSOCIATION
 वरिष्ठ सहायक
 कार्यालय डिप्टी रजिस्ट्रार
 फर्स्ट सोसाइटीज तथा चिट्ठा
 संयोजक, मंडल, लखनऊ
 13/07/18

- (vii) Member shall mention the enrollment number allotted by Bar Council of U.P. on their membership form, visiting cards, vakalatnamas, and letter heads. They may display name board of size not more than 2' X 1'6" at their residence and also at the place of work.

6A. VOTING RIGHT

No member shall have voting right in the election of the S.T.B.A if he has not completed minimum two year on the roll of the S.T.B.A. before the date of declaration of the schedule of the general election.

7. FEES

The members of the Association shall pay subscription at the rate of Rs. 60 per month or as may be decided by the Executive Committee from time to time . Provided if any member pays the subscription for full year in advance before 30th April, then he has to pay the subscription fee for ten months only. The payment of said subscription shall be closed before 30 clear days of the date of General Election and thereafter no dues shall be received.

7 A. FUNDS

The Association's funds shall come from the following sources:

- (a) Admission Fee
- (b) Monthly Subscription from the members.
- (c) Donations and bequests.
- (d) Grants.
- (e) License fee.
- (f) Levy of service charges on account of services provided to persons or group or person which are not available to the common members.
- (g) The income received from any other sources, which may accrue to the STBA accounts due to the dedicated efforts of STBA hence-forth.



8. CESSATION OF MEMBERSHIP:

- (i) In case of death of the member.
- (ii) In case of resignation or surrender of the membership.
- (iii) In case of removal of the name from the Roll of U P Bar Council.

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ARUN PRAKASH MISHRA
PRESIDENT

Sales Tax Bar Association
Lucknow

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डिप्टी रजिस्ट्रार
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- (iv) However, in case of if the member falls in arrears of monthly subscription or any other dues/charges payable to the association for more than 12 months, his membership shall stand suspended.

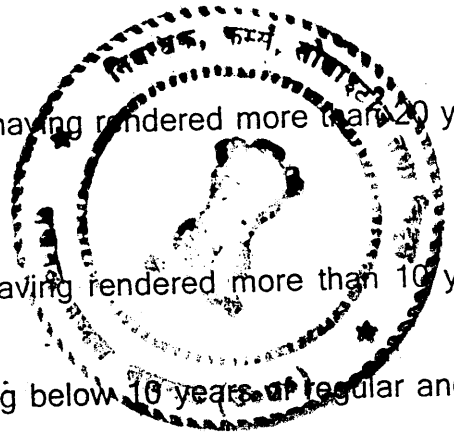
9. RE-ADMISSION

The members whose names have been suspended from the rolls of the association on account of the non-payment of dues under clause 8(iv) of this constitution their suspension may be revoked on payment of all the outstanding dues payable by him subject to the condition that such advocate will not be able to cast his vote for one year. Any member who fails to pay his subscription for the preceding two years and above, his membership shall be terminated. However such a member can be readmitted if he pays all the dues alongwith penal fee of Rs. 1000/-.

10. GOVERNANCE AND CONSTITUTION OF THE EXECUTIVE COMMITTEE OF S.T.B.A

The Association shall be governed by the Executive Committee consisting of the President, 4 Vice-Presidents, 1 Secretary, 3 Joint Secretary, a Treasurer and , twelve Executive Committee Members. Thus the total number of the members of the Executive Committee shall be 22. The outgoing President and Hony. Secretary shall be the Ex-Officio members of S.T.B.A.

- (I) **President** - An ordinary member having rendered at least 25 years of regular and active practice in that court.
- (II) **Senior Vice-President** - An ordinary member having rendered more than 20 years of regular and active practice in that court.
- (iii) **Vice-President (Two)**- An ordinary member having rendered more than 10 years of regular and active practice in that court.
- (IV) **Vice-President**- An ordinary member practicing below 10 years of regular and active practice in that court.
- (V) **General Secretary** - An ordinary member having rendered more than 15 years of regular and active practice in that court.
- (VI) **Treasurer**- An ordinary member having rendered more than 10 years of regular and active practice in that court.
- (VII) **Joint Secretary (Three)** An ordinary member having rendered more than 5 years of regular and active practice in the court.



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ARUN PRAKASH MISHRA
PRESIDENT
Sales Tax Bar Association
LUCKNOW
लखनऊ, कर्म, सोसाइटी
लखनऊ, कर्म, सोसाइटी
लखनऊ, कर्म, सोसाइटी

- (VIII) **Executive Members** - 6(six) Ordinary Member having rendered above 15 years and 6 Ordinary Members below 15 years of regular and active practice in that Court.
- If for any reason, there is no contestant on any particular post the same will be filled up by the Executive Committee elected, within a month from the date of election.

EXPLANATION

The expression, "having rendered" used in the above clauses shall mean and include the period of years being spent by the said member in the practice after his enrolment with the Bar Council of U P. However an advocate has to be a regular member of S.T.B.A before he contests the respective election of the S.T.B.A. :-

- (i) for 10 years to contest election for the Post of President or Secretary.
- (ii) for 3 years for other posts.


EXPLANATION : In order to reckon the period of 10 years and 3-year above it shall be deemed as if the association formed under present constitution was present in the form of erstwhile Sales Tax Bar Association.

11. TERMS OF OFFICE

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

In the event of the office bearer falls vacant due to death of the said office bearer or for any other reasons whatsoever, no fresh election to the said post shall be held during the tenure of the Executive Committee. The remaining office bearers of the committee shall continue to function in place of the saie vacant post.

Provided that in case fifty percent posts of the office bearers fall vacant, the Executive Committee shall be empowered to co-opt members against the categories of members against which the vacancy has occurred subject to the approval of the General Body Meeting.


ASHOK KUMAR OJHA
ADVOCATE
SECRETARY
SALES TAX BAR ASSOCIATION
LUCKNOW


ARUN PRAKASH MISHRA
PRESIDENT
Sales Tax Bar Association
Lucknow

वरिष्ठ सहायक
कार्यालय डिप्टी सचिव
फार्म सोसाइटीज तथा मिदस
लखनऊ, मण्डल, लखनऊ
13/07/16

12. FUNCTIONS OF THE EXECUTIVE COMMITTEE

The Executive Committee shall:


- (i) be responsible for the safe custody of the property and assets of the Association and the proper investment of its funds;
- (ii) make arrangements for the maintenance and up-keep of the library and its proper use by the members;
- (iii) control the use of the accommodation available to the Association;
- (iv) frame the Annual Budget of the Association and control expenditure in accordance with the Budget;
- (v) call the Annual General Meeting and other meeting of the Association;
- (vi) frame bye-laws for the carrying out objects and activities of the Association and
- (vii) do all other acts necessary for the fulfillment of the objects of the Association.
- (viii) Appointment, promotion, leave and dismissal of the servant of the Association and deciding disciplinary and other matters effecting them on the recommendation of the Secretary.

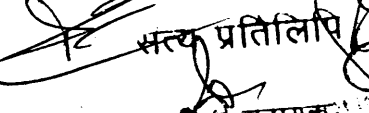
Provided that the Executive Committee may delegate any of its function or any specific work to any sub-committee appointed by it, or by the Association, or to any other member.

13. FUNCTIONS OF THE PRESIDENT

The President of the Association shall;

- (i) Preside and conduct all meetings of the Association, and Executive Committee.
- (ii) The President shall be responsible for the proper functioning of the various office bearers of the Association.


ASHOK KUMAR OJHA
ADVOCATE
SECRETARY
SALES TAX BAR ASSOCIATION
LUCKNOW


प्रकाश मिश्रा
वरिष्ठ सहायक, रजिस्ट्रार
कमल सी सीटीएज तथा, विदेशी
व्यवसाय, लखनऊ
13-07-16
PRAKASH MISHRA
PRESIDENT
SALES TAX BAR ASSOCIATION
LUCKNOW

- (iii) give the casting vote in case of equality of votes at any meeting of the Association or the Executive Committee.
- (iv) Represent the Association whenever a formal representation is necessary; and
- (v) Perform such other functions as might be required by Rules or the bye-laws of the Association.

14. FUNCTIONS OF THE VICE - PRESIDENT

The Sr. Vice-President of the Association shall;

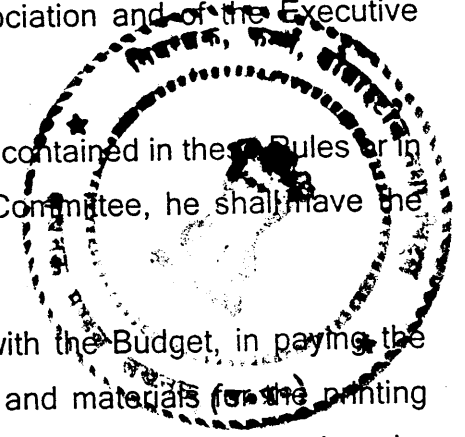
- (i) Perform the functions of the President, when the President is absent.
Provided that the right to preside at meeting of the Association or the Executive Committee shall be long to the senior most Vice-President present.
- (ii) Perform such other functions as may be required to perform by these Rules of the bye-laws of the Association.

15. FUNCTIONS OF THE SECRETARY

The Secretary shall be the Chief Executive Officer of the Association and it shall be his duty to give effect to the resolutions of the Association and of the Executive Committee.

Subject to such directions or limitations as may be contained in the Rules or in the resolutions of the Association or of the Executive Committee, he shall have the power of :-

- (a) Spending the funds of the Association in accordance with the Budget, in paying the salaries of the servants, in purchasing books, furniture and materials for the printing press and for other purposes connected with the management of the association, the cause list and the Library, in accordance with the directions of Executive Committee and for this purpose to operate upon the Bank Accounts of the Association along with president / treasurer:
- (b) Spending a sum not exceeding Rs.2000/- in any year for extraordinary and emergent purpose of the Association without the previous sanction of the Executive Committee.



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महानगर मुंबई तथा चिट्स
1307/16

ASHOK KUMAR GUPTA
ADVOCATE
SECRETARY
SALES TAX BAR AGS
1307/16

- (c) Keeping minutes of the meetings of the Association and of the Executive Committee.
- (d) Investment of funds of the Association in current or in fixed deposit in any Scheduled Bank, approved by the Executive, withdrawal of the deposits from time to time and to utilize and spend them for the purposes of the Association and to deal with Government and other securities on behalf of the Association in accordance with the directions of the Executive.
- (e) To generally supervise the working of the various activities of the Association, and to procure government Notifications and Circulars of the Commissioner and their distribution among members of the Association.
- (f) perform such other functions as he might be required to perform by these Rules or the bye-laws of the Association.

16. FUNCTIONS OF THE JOINT SECRETARY

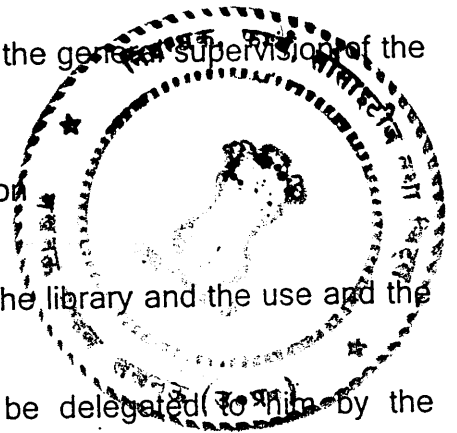
The joint Secretary incharge of administration shall :- assist the Secretary in discharge of his duties. In the absence of the Secretary, the joint Secretary (Administration) shall act for him in all matter that calls for an immediate disposal.

17. FUNCTIONS OF THE JOINT SECRETARY INCHARGE OF LIBRARY

The Joint Secretary in charge of the Library shall, under the general supervision of the Secretary, be responsible;

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

18. FUNCTIONS OF THE JOINT SECRETARY IN CHARGE OF THE PUBLICATION



12/07/16

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सत्य प्रतिलिपि

वरिष्ठ सहायक

कार्यालय डिप्टी सॉसाइटीज तथा चिट्स

12/07/16

ARUN PRAKASH MISHRA
PRESIDENT
Lucknow

[Signature]

CHOK KUMAR
ADVOCATE
SECRETARY
TAX BAR ASSOCIATION
LUCKNOW

[Signature]

The joint Secretary in charge of the publication shall, under the general supervision of the Secretary, be responsible for publication of Journals, Members Directory and including other connecting publications relating to law and professional ethics.

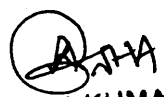
19. FUNCTIONS OF THE TREASURER

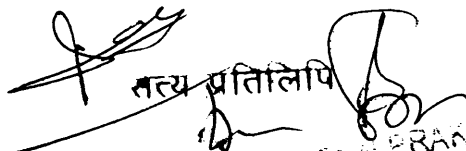
The Treasurer shall be responsible for;

- (a) preparing the annual accounts and the Budget of the Association for its being placed before the Executive Committee.
- (b) for seeing that all expenditure is in accordance with the Budget, the Rules and the bye-laws;
- (c) for advising the Executive Committee on all matters relating to financial policy,
- (d) for performing such other functions as might be assigned to him by the Executive Committee.
- (e) the Treasurer shall operate Banks and other financial accounts along with the President and the Secretary, and
- (f) shall publish on the notice board the quarterly expenditure by the end of the third month.
- (g) to collect membership fees, subscription or donation for the association.
- (h) to keep the funds of the association with him upto Rs. 2000/- and to deposit the balance amount in the bank account of the Association.

20. PROCEDURE OF ELECTION

- a. The meeting of the General Body of the Association will be convened at least a month before the expiry of the term of the office bearers and shall fix a date for Election.
- b. The Executive Committee will make rules for the conduct of election to be followed by the Elders Committee, including to the followed by the Elders Committee, including Rules barring a candidate to contest for more than one post.


ASHOK KUMAR OJHA
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प्रकाश मिश्रा
बारिष्ठ सहायक
ऑफिसियल डिप्टी रजिस्ट्रार
लॉ साइटीज तथा
न्यायिक संपर्क, लखनऊ
13/07/16
PRAKASH MISHRA
PRESIDENT
LUCKNOW

- c. The Elders committee will act as Panel of the Returning Officer to hold Election and be entitled to include any other member of the Association, provided one is not contesting the Election and the result of the Election shall be declared in the meeting of the General Body so convened by the Elders Committee.
- d. In order to meet the heavy burden of expenditure of the Bar Association, the Elders Committee will also fix security money for various posts, which shall not be refundable after the nomination is accepted and found valid. Only ordinary members, who have put in 2 years of continuous membership, will be entitled to vote and participate in the Election.
- e. The person, who has held office, will not be entitled to contest the following Elections in sequence. However, he can recon test after a gap of one year.

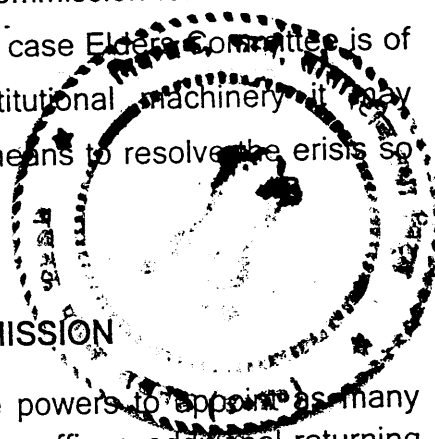
21. ELDERS COMMITTEE


There shall be an Elders Committee of the association consisting of 5 senior most members of the Association actively practicing in that court and,

- (a) Members among themselves will choose Chairman for 1 year which term can be extended.
- (b) The seniority of the members of the elders committee shall be determined on the basis of enrollment as an advocate on the roll of U.P. Bar Council.
- (c) The Elders Committee shall also act as Election Commission for the conduct of elections as per bye-laws of the Association and in case Elders Committee is of the opinion that there is breakdown of Constitutional machinery it may recommend to the Executive Committee ways & means to resolve the crisis so arisen.

22. DUTIES AND POWER OF THE ELECTION COMMISSION

- (i) Election Commission once constituted shall have powers to appoint as many election members, as required including a returning officer, additional returning


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 SECRETARY
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officers and other members so as to regulate and conduct the elections within stipulated period in a fair and impartial manner.

- (ii) The Election Commission shall follow the instructions passed by the Ex body for conducting the election and will publish such rules/regulations at the time of announcing the election.
- (iii) The Election Commission shall start the process of election i.e. preparation of rolls, declaration of election schedule and arrangements for election.
- (iv) Election Commission shall supervise the strict observance and compliance of the election rules framed under the constitution.
- (iv) The Executive Committee shall make its staff available to the Election commission for making arrangements of the election and for performing election duty. The Election Commission shall also be provided with the funds required for the election arrangement.
- (v) The Executive Committee shall make its staff available to the Election Commission for making arrangements of the election and for performing election duty. The Election Commission shall also be provided with the funds required for the election arrangement.

23. ANNUAL GENERAL MEETING

The Annual General Meeting of the ordinary members of the Association shall be held every year on a date fixed by the Executive Committee at least a month before expiry of the term of the office bearers.

24. BUSINESS AT THE ANNUAL GENERAL MEETING

The Annual General Meetings of the Association shall Fix a date for electing office bearers, and other members of the Executive Committee from amongst its ordinary /life Members;.

- (a) pass the audited annual accounts, the annual report and sanction the Budget for the year from the 1st of August to the 31st July;
- (b) adopt such resolutions as might be brought forward for guiding the activities of the Association or its bodies; and

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लुखनऊ/उडल, लखनऊ

(c)

appoint the auditor for the ensuring year.

25. OTHER GENERAL MEETINGS

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

26. EXTRA-ORDINARY MEETING

An extra ordinary General Meeting of the ordinary members of the Association shall be convened by the President/Secretary at the requisition of 50 ordinary Members. Such requisition shall be in writing; addressed to the President / Secretary and accompanied by a statement.

(a) In case the extraordinary general meeting of the Association is not convened as per the requisition and same is also not ruled out by the Executive Committee the requisition shall be entitled to convene the meeting to be presided over by one of the senior member of Elders Committee.

(b) No decision will be taken to strike work in the Court by the Bar Association beyond a strike of one day, unless the decision is taken by majority of Executive Committee.

27. NOTICE OF MEETINGS

Notice of Meetings of the Association shall be given, at least 7 clear days before the date fixed for the meeting. In case of emergency relating to subject which can not be postponed for 7 days, a meeting other than Annual General Meeting may be called, in like manner but at such shorter notice as may be considered sufficient by the Secretary, which will not be in any case less than 24 hours.

Notice of a meeting shall be given by fixing up a notice along with the agenda on the notice boards of the Association and by circulating it in building using the association. The meeting shall not be cancelled on the ground of improper service or non-service of notice on any member or the insufficiency or

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PRESIDENT
Sales Tax Bar Association
Lucknow

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ADVOCATE
SECRETARY
SALES TAX BAR ASSOCIATION
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impropriety of the time allowed or fixed by the notice.

28. QUORUM OF MEETINGS OF THE ASSOCIATION

Fifty ordinary member (including the office bearers) shall form a Quorum for the Annual General Meeting or Extra-Ordinary General Meeting of the Association, and other General Meeting.

29. ADJOURNMENT OF MEETING FOR WANT OF QUORUM

If the quorum is not complete at any meeting, it shall be adjourned and no business shall be transacted then at except, if necessary, the election of a person to preside the meeting, and the fixing of the time and date of the adjourned meeting.

30. QUORUM FALLING SHORT DURING A MEETING

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

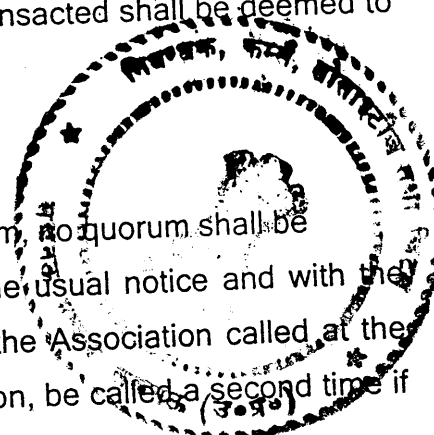
31. ADJOURNED MEETING


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

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

In the absence of the President or the Vice-President or senior Member of the

Elders Committee of the Association any Member present may be elected to preside at a meeting of the Association.


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32. QUESTIONS TO BE DECIDED BY A MAJORITY OF VOTES

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

33. PROCEEDING TO BE RECORDED

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

34. RECONSIDERATION OF BUSINESS

Any matter which has been the subject of a decision in any Meeting of the Association shall not be reconsidered till after the expiration of six months from the date of such decision except on a written requisition for the purpose by 2/3rd majority of ordinary members.

35. QUORUM OF THE EXECUTIVE COMMITTEE

Twelve office bearers of whom at least five officers & Executive Members shall be those holding an office, shall form the quorum of meeting of the Executive Committee.

36. MEETINGS OF THE EXECUTIVE COMMITTEE

The Executive Committee shall meet as often as may be necessary and all the provisions in these Rules relating to the meetings of the Association shall apply mutatis mutandis to such meetings of the Executive Committee.

ROLL OF ADVOCATES

The Association will maintain a Roll of Advocate, which shall be deemed to have been maintained in due course.

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38. PROPERTY OF THE ASSOCIATION

The property of the Association shall consist of:

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

39. ACCOUNT OF THE ASSOCIATION

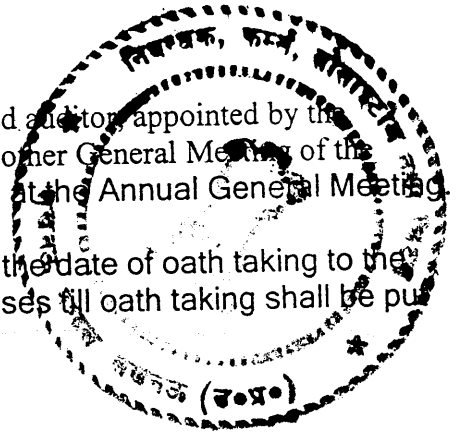
- (1) The Treasurer shall cause to be kept an account of all receipts and expenditure made by or on behalf of the Association, during the year.
- (2) The Accounts shall be audited, once every year, by a qualified auditor appointed by the Annual General Meeting or failing such appointment by any other General Meeting of the Association. Audited Annual Accounts to be presented at the Annual General Meeting.

EXPLANATION :- The period of audit shall commence from the date of oath taking to the next oath taking. the estimated/proposed expenses till oath taking shall be put before the General Body meeting.

40. MISCONDUCT BY THE MEMBERS AND DISCIPLINARY ACTION.

The following acts on the part of the members shall constitute the misconduct:-

- (a) Willful disobedience or non-compliance of the decisions taken by the Executive Committee, General Body Meeting or decision of any other subcommittee constituted under this constitution or any other official so appointed by the Executive Committee as per the constitution.



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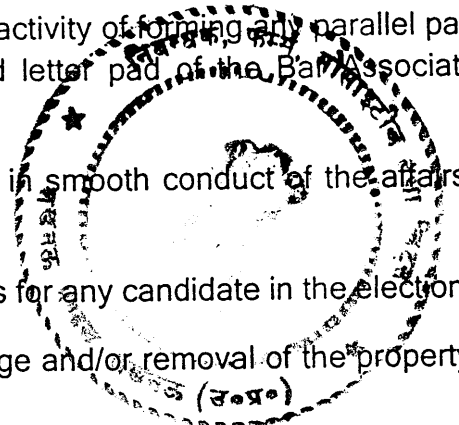
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ASHOK KUMAR GUPTA
ADVOCATE
SECRETARY
SALES TAX BAR ASSOCIATION
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- (b) Threat to the members of the Executive to coerce them to do or not to do any act in discharge of their duties and functions under the constitution.
- (c) Misuse of the Chambers/seats i.e. if the member uses or allows it to be used for any purpose other than the professional work.
- (d) Threats and/or assault to the other advocates.
- (e) Abusing the client or member of the Association.
- (f) Acts, deeds, which do not behove to be advocate and committing professional misconduct as defined under Advocates Act, 1961.
- (g) Any member found helping touts or soliciting work through touts.
- (h) Attending courts or court proceedings after consuming liquor.
- (i) Acting against the interest of the Executive Committee/General Body.
- (j) Assaulting the employees of the association or obstructing them in discharge of their duties, directions/instruction of the Executive Committee.
- (k) Disrupting the unity of the Association by factional activity of forming any parallel panel of the Bar Association or misusing the name and letter pad of the Bar Association whether in writing or otherwise.
- (l) Nuisance or disturbance or putting any hindrance in smooth conduct of the affairs of the executive or General Body Meeting.
- (m) Disrupting election of the Bar or using unfair means for any candidate in the election.
- (n) Tearing of or disfiguring of library books and damage and/or removal of the property of the Bar Association.
- (o) Distributing/passing over or allowing the stickers of the Bar Association meant for cars/scooters for usage of non-members/non-advocates.
- (p) Using the services of the employees of the Association during office hours for personal work.
- (q) Forming any society/association on the lines and in the name of caste, creed or religion.
- (r) Doing any act which disintegrates the unity of the Bar.
- (s) Issuing posters, hand bills against the decision of the Executive.



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SECRETARY
BAR ASSOCIATION
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- (t) Engaging any person declared as touts in the employment as clerks or sheltering any person/member against whom the association has lodged a civil/criminal case or has taken any disciplinary action for misconduct.
- (u) Allowing any person to sell any item or to take benefits from the property vests with the Bar Association.

41. DISCIPLINARY ACTION

The executive committee shall have power to constitute a disciplinary committee of as many members as it may deem necessary for giving findings regarding complaint of erring member.

The Executive Committee on receipt of the findings of the Disciplinary Committee may by a resolution take the disciplinary action against the erring members, which may include: -

- (a) Suspension for term which may be extended to six month, suspension period will be considered as a break for the purpose of membership of Sales Tax Bar Association and Welfare Scheme.
- (b) Removal of the member from the rolls of the Membership of the Association and withdrawing all facilities enjoyed by the member at the time of misconduct.
- (c) Report the misconduct to the Bar Council of U P.

42. EXPULSION OF MEMBERS

The Association may at a General Meeting specially convened for the purpose, of which 14 day's notice has been given, by a resolution adopted by a majority of not less than two-thirds of the ordinary members of the Association present and voting by secret ballot expel an ordinary member on any of the following grounds:-

- (i) Professional misconduct,
- (ii) Conviction for an offence involving moral turpitude,
- (iii) Gross misconduct unbecoming of the member of the Bar.

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

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43. BREACH OF RULES

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

44. BYE-LAWS

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

45. MISCELLANEOUS PROVISIONS

(a) AMENDMENT OF CONSTITUTION

No change, amendments or modification shall be made in constitution of the Association unless the proposed change, amendment or modification is passed by a majority of two-third members present at General Body Meeting of the Association. Provided, that no amendments shall be allowed if the strength of such a meeting is less than 1/5th of the total enrolled members of the Bar or 100 whichever is higher.

(b) AFFILIATION

The Association can affiliate to any other elected state or All India Association of Lawyers having similar aims and objects provided the resolution of the affiliation is adopted by the Executive Committee and ratified by the General Body Meeting of the Association.

(c) FACILITIES

Only members of the Association shall be entitled to avail the facilities provided by the Executive Committee on behalf of S.T.B.A.

(d) STATUS

The Association shall be a society by the name aforesaid having perpetual succession with power to acquire, hold and dispose of property both moveable and immovable and to contract.

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Lucknow

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SECRETARY
SALES TAX BAR ASSOCIATION
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- (i) The association can sue or be sued by its name through the Hony. Secretary.
- (ii) The Secretary shall contest all legal proceedings for and on behalf of the Association through counsels to be engaged by him in consultation with the President.
- (iii) Should there exist a situation where the Executive Committee is ousted, the Election Commission shall take over the power of President and Secretary, and shall depute any of its member to defend the legal proceedings against the Association as well as to initiate legal proceedings for and on behalf of the association in case of urgency by engaging counsels for the purpose.

(e) DISPUTE RESOLUTION

All disputes, difference between members and members, between member(s) and association shall be resolved by means of arbitration by the Arbitrator appointed by the Executive Committee for the particular dispute/disputes. The decision of the Arbitrator shall be final and binding on the contending parties.

(f) STRIKE

Before giving any call for one-day token strike, the Executive Committee, as far as possible shall ascertain the facts and cause of the call for the strike.

(g) RIGHT OF DISSENT

Members shall have right to dissent against the decisions of the Executive Committee. Such dissent however shall not be expressed by the members through handbills, posters or press statement. The members disagreeing with the decision of the committee shall have right to voice the dissent by first placing in writing before the Executive Committee to do the needful within 48 hours. If nothing is done by the Executive Committee within the aforesaid time, then through the requisitioning of special General Body Meeting in terms of provisions laid down in clause 26 above. Non-compliance of the provision shall tantamount to misconduct.

46. AMENDMENT OF RULES

None of the these Rules shall be altered or modified or rescinded nor shall any new rule be framed unless they have received the assent of two-thirds of the

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PRESIDENT
Sales Tax Bar Association
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members present and voting, by secret ballot, at a General Meeting convened for the purpose and be subject to approval by "Bar Council".



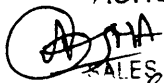



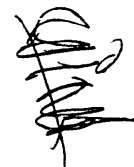
47. REPEAL & SAVINGS

- (i) The provisions contained in the constitution of the erstwhile Sales Tax Bar Association in consistent with the provision under present Constitution shall stand repealed.
- (ii) Any act done or any election held under the adopted Rules & Bye Laws of the Bar Council vide resolution dated 15th September, 2006 shall be saved.

48. APPLICABILITY OF THE ACT

All the provisions of the societies Registration Act, XXI of 1860 Act, as extended to the Territory of Uttar Pradesh, will apply to this association/society.

We the undersigned, persons i.e. President, Jr. Vice President, Secretary, Treasurer, Members of the Executive Committee/Governing Body certify that this is a correct copy of rules and regulations of SALES TAX BAR ASSOCIATION

| NAME | DESIGNATION | SIGNATURE |
|-------------------------|----------------------|---|
| ARUN PRAKASH MISRA | PRESIDENT |  |
| RAMESH KUMAR SRIVASTAVA | Jr. VICE PRESIDENT |  |
| ASHOK KUMAR OJHA | SECRETARY |  ASHOK KUMAR OJHA ADVOCATE SALES TAX BAR ASSOCIATION |
| SUNIL KUMAR SOM | TREASURER |  |
| SOOR SEN SINGH | EX-OFFICIO MEMBER |  |
| RAJESH SINGH | Sr. EXECUTIVE MEMBER |  |
| RAVI SHANKER RAJPUT | Jr. EXECUTIVE MEMBER |  |

THIS CONSTITUTION HAS BEEN UNANIMOUSLY
RESOLVED/APPROVED, RATIFIED AND ADOPTED BY THE GENERAL
BODY MEETING OF SALES TAX BAR ASSOCIATION VIDE RESOLUTION
DATED 07.06.2013

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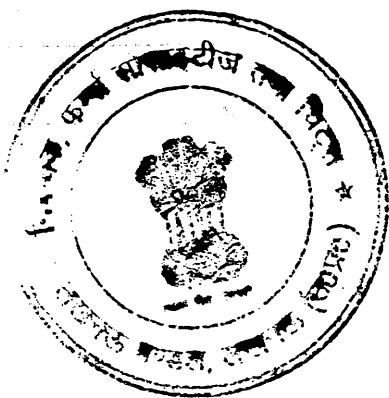
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कम्पस रोसाइटीज तथा बिदस

लखनऊ मण्डल, लखनऊ

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आलेख का क्रम संशोधित निगमावली
आज दिनांक 29-6-2016
को फाइल की गयी

निबन्धक समिति

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