

The Orissa Affiliation of Bar Association Scheme, 1981

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Rule

THE-ORISSA-AFFILIATION-OF-BAR-ASSOCIATION-SCHEME-1981 of 1981

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The Orissa Affiliation of Bar Association Scheme, 1981Published vide Notification No. Orissa Gazette, Part VII/2.11.1981, and approved by the Bar Council of India vide their resolution 2.10.1981[Scheme framed under Orissa State Bar Council Trust Orissa State Advocates' Welfare Fund Rules]

1. Short title, extent and commencement.

(1)This scheme may be called the Orissa Affiliation of Bar Association Scheme, 1981.(2)It shall apply to the whole of the State.(3)It shall come into force on such day as the Council may notify.

2. Definitions.

- In these rules unless the context otherwise requires-(a)"Act" means Advocates Act, 1961;(b)"Association" means as body of Advocates registered under Society Registration Act, either at the District Sub-divisional or Tahasil Headquarters or in specific Tribunals and registered with the Council in accordance with these rules;(c)"Council" means Orissa State Bar Council;(d)"Rules" means Orissa State Advocates' Welfare Fund Rules, 1981;(e)"Existing associations" means the associations as per the current list of the Bar Council and mentioned in the Schedule below;(f)All words and expressions used in these rules and not specifically defined herein shall have the same meaning as are assigned to them in the rules;(g)"Schedule" means schedules appended to these rules.

3. Membership.

- Every advocate on the rolls of the Bar Council and actually practising at a particular station or in specific Tribunals at a particular station can be a member of the Association.

4. Affiliations.

- All existing associations as per Schedule desirous of affiliation to the Bar Council may apply for affiliation in the prescribed form as per Appendix I along with an affiliation fee of Rs. 30 only together with attested copy of Registration certificate granted under Society Registration Act, 1914 and a copy of their constitution bye-laws/articles of association confining their incorporation, election, activities and duties and responsibilities: Provided that if at a place there is no existing association or any existing association does not seek for affiliation within one year from the date of enforcement of this Scheme, a new association with at least 2/3rd of the advocates practising at that station may be constituted and such association may apply for affiliation in the manner laid down above.

5. Renewal.

- A renewal fee of Rs. 20 shall be payable by the affiliated association before 30th April each year to the Bar Council for continuance of affiliation. The association shall submit the information in the form prescribed in Appendix II at the time of renewal.

6. Duties of Association.

(1) The affiliated association shall forward to the Council every year the names of its office bearers and also the names of each member along with other details in the form prescribed in Appendix II. (2) It shall be the duty of the affiliated association to keep strict vigil over the professional activities of the members of the profession, irrespective of its own membership, and shall promptly inform the Council about any Advocate committing breach of the provisions of the Act or any other misconduct which in the opinion of its Executive Committee or General Body is derogatory of the profession, dereliction of his duties together with all materials in support of its opinions. (3) The affiliated association shall submit a statement of its assets and liabilities at the time of application for affiliation and at the time of every renewal. (4) The association shall promptly report to the Council of the demise, disability or the entitlement of any of its members to any beneficial scheme of the Council trust. (5) It shall be the duty of every-affiliated association to carry out all directions and instructions issued to it by the Trust/Council/Welfare Committee or any sub-committee from time to time.

7. Responsibilities of the Council.

(1) It shall keep the affiliated association informed of every important decision taken or resolutions passed by State Bar Council, Bar Council of India, State Government or by it, relating to welfare and

conduct of the Advocates.(2)In consideration of its resources, the Council/Welfare Committee/Sub-Committee may render financial assistance to the affiliated Associations for library, furniture, buildings or for running Co-operative Store for meeting the professional requirements of the members on such terms and conditions as the Council/Welfare Committee/Sub-Committee may determine from time to time.

8. Election dispute and dispute relating to illegal removal of membership.

- In case of any dispute relating to any election of office bearers of any association or relating to illegal removal of the membership of any affiliated association the same shall be referred to the Bar Council within 15 days of the election or the date of removal of membership, as the case may be, for consideration and the orders passed by the Council after hearing both the sides shall bind the association and the complainant.

9. Disaffiliation.

- The Council may disaffiliate any association-(a)if it fails to pay, and apply, for renewal within 3 months from the due date, provided, however, on payment of penalty of Rs. 30 together with the renewal fee within 3 months after the disaffiliation, the Council may reaffiliate the association;(b)if the association deliberately or wilfully defies, disobeys, or does not carry out the directions and instructions issued to it by the Council or Welfare Committee;(c)if the elections of its office bearers are not held as per its own rules/bye-laws/constitution; etc.(d)for any other reason as the Council may determine; provided however when the disaffiliation is sought to be done under Clauses (b) to (d), no such order shall be, passed by the Council without affording an opportunity to the Association, of hearing/being heard.

10. Removal of doubts.

- On any matter for which specific provision has not been made in the Rules, or the schemes the decision, Interpretation or directions of the Council/Trust shall be final.

Schedule

List of existing Bar Association Orissa High Court Bar Association, Cuttack. District Bar Association, Cuttack, Criminal Bar Association, Cuttack. Kendrapara Bar Association, Kendrapara. Athgarh Bar Association. P. O. Athgarh .Jaipur Bar Association, P. O. Jaipur. Banki Bar Association, P. O. Banki. Narsinghpur Bar Association, P.O. Narsinghpur. Barambagarh Bar Association, P. O. Barambagarh. Jagatsinghpur Bar Association, P. O. Jagatsinghpur. Pun Bar Association, P. O. Puri. Koraput Bar Association, P. O. Koraput. Padampur Bar Association, P.O. Padampur. Baliguda Bar Association, P. O. Baliguda. Champua Bar Association, P. O. Champua. Baripada Bar Association, P. O. Baripada. Nawarangpur Bar-Association, P. O. Nawarangpur. Bisam Cuttack Bar Association, P. O. Bisam-Cuttack. Bhawanipatna Bar Association, P. O. Bhawanipatna. Nawapara Bar Association, P. O. Nawapara. Pallahara Bar Association, P. O. Pallahara. Kamakhyanagar Bar

Association, Kamakhyanagar. Malkangiri Bar Association, P. O. Malkangiri. Khandapara Bar Association, P. O. Khandapara. Balasore Bar Association, P. O. Balasore. Nilagiri Bar Association, P. O. Nilagiri. Bhadrak Bar Association, P. O. Bhadrak. Paralakhmundi Bar Association, P. O. Paraikhemundi. Berhampur Bar Association, Berhampur. Chhatrapur Bar Association, P. O. Chhatrapur. Aska Bar Association, P. O. Aska. Bhanianagar Bar Association, P. O. Bhanjanagar. Surada Bar Association, P. p. Surada. Kodala Bar Association, P. O. Kodala. Sambalpur Bar Association, P. O. Sambalpur. Deogarh Bar Association, P. O. Deogarh. Keonjhar Bar Association, P. O. Keonihar. Rourkela Bar Association, P. O. Rourkela. Gunpur Bar Association, P. O. Gunpur. Rayagada Bar Association, P. O. Rayagada. Umerkote Bar Association, P. O. Umerkote. Dharamgarh Bar Association, P. O. Dharamgarh. Boudh Bar Association, P. O. Boudh. Phulbani Bar Association, P. O. Phulbani. Athamalik Bar Association, P. O. Athamalik. All Orissa Tax Bar Association, Cuttack. Bhubaneswar Bar Association, P. O. Bhubaneswar. Nayagarh Bar Association, P. O. Nayagarh. Khurda Bar Association, P. O. Khurda. Ranpur Bar Association, P. O. Ranpur. Rairakhol Bar Association, Rairakhol. Jharsuguda Bar Association, P. O. Jharsuguda. Kuchinda Bar Association, P. O. Kuchinda. Bolangir Bar Association, P. O. Bolangir. Titilagarh Bar Association, P. O. Titilagarh. Patnagarh Bar Association, P. O. Patnagarh. Sonepur Bar Association, P. O. Sonepur. Bargarh Bar Association, P. O. Bargarh. G. Udayagiri Bar Association, P. O. G. Udayagiri. Anandapur Bar Association, P. O. Anandapur. Bonaigarh Bar Association, P. O. Bonaigarh. Rairangpur Bar Association, P. O. Rairangpur. Karanjia Bar Association, P. O. Karanjia. Udala Bar Association, P. O. Udala. Dhenkanal Bar Association, P. O. Dhenkanal. Angui Bar Association, P. O. Angul. Talcher Bar Association, P. O. Talcher. R. Udayagiri Bar Association, P. O. R. Udayagiri. Mayurbhanj Tax Bar Association, P. O. Baripada. Banapur Bar Association, P. O. Banapur (PUF). Jeypore Bar Association, P. O. Jeypore (Koraput) Tigiria Bar Association, P. O. Tigiria, Cuttack. Appendix-1 Form of application for affiliation of Bar Association

1. Name of the Association

2. If existing or new

3. Registration No. under Society Registration Act

4. Total No. of Members

5. Names of office bearers

President Vice-President Asst. Secretary Executive Committee or any other committee

6. Date of last Election

7. Due date of next Election as per your constitution

8. Fixed assets

9. Movable assets (excluding Books)

10. Strength of Library

Statutes Books Reports

11. Fee paid by

I herewith attach a list of members with period of practice and a copy of list of assets of the association and the constitution, bye-law/ article of association and that of Registration Certificates. Secretary Appendix-II Form for renewal of affiliation of Association

1. Name of Association

2. Affiliation No of the Council/Trust

3. Fee paid (give particulars)

4. Penalty paid, if any, (give particulars)

5. Any grant received

6. Any asset added after last years

7. New members added

8. Members ceased from practice

9. Total No. of members

10. Due date of next election

11. Office bearers now in office

I attach hereto a list of members, now on rolls of the association and practising as such. Secretary Form of Application for Affiliation of Bar Association

1. Name of the Association :

2. If existing or new :

3. Registration No. under Society Regd. Act

4. Total No. of members

5. Name of office bearers

President Vice-President Asst. Secretary Executive Committee or any other Committee

6. Date of last election

7. Due date of next election as per your Constitution

8. Fixed assets

9. Movable assets (excluding books)

10. Strength of Library

Statute Books Reports

11. Fee paid by

I herewith attach a list of members with period of practice and a copy of list of assets of the Association and the Constitution Bye-law/Article of Association and that of Registration Certificate. Secretary Form of Renewal Of Affiliation of Association

1. Name of the Association

2. Affiliation No. of the Council/Trust

3. Fees paid (give particulars)

4. Penalty paid, if any (give particulars)

5. Any grant received

6. Any asset added after last years

7. New members added

8. Members ceased from practice

9. Total No. of members

10. Due date of next election

11. Office bearers now in office

I attach hereto a list of members, new on rolls of the Association and practising as such Secretary Miscellaneous (a) No financial assistance shall be made available to any affiliated or other Associations for organising Seminar/Workshop at their own. (b) Council may organise Seminar at different places at different times as co-sponsor with Bar Council of India or any other organisation. (c) Amount to be spent for the occasion shall be determined and sanctioned from time to time by the Council in its meeting. (d) Provided that Chairman/Vice-Chairman of the Council shall be the Chairman of the Reception Committee and the President and Secretary of the local Bar shall be the organiser, the executive body members of the concerned Bar shall be taken as Members of the Reception Committee along with Bar Council Members nominated to that function. (e) Provided that the detailed programme of the Seminar shall be approved by the Council.

12. Financial Assistance to the development of library of Bar Associations affiliated under Orissa State Bar Council shall be extended by the approval of the Welfare Committee of the Council.

(a) The amount of assistance shall be determined by the Welfare Committee from time to time according to the funds available with the Council. (b) The assistance shall ordinarily be by way of matching share to the Bar Associations. (c) Chairman/Vice-Chairman or any Member may be deputed to the Bar Association for inspection of such books from time to time or the Secretary of the Council may be authorised to such Bar Association for verification. (d) The books supplied through Bar Council should be subscribed with a rubber stamp "Orissa State Bar Council" and a separate stock register shall be maintained to the books so received by the Bar Association. The Revised rules of the Bar Council of Orissa made under Sections 28 and 15 (contained in page 1 to 99) were approved by the Bar Council of India at its meeting dated 15th and 16th March, 1992 vide Resolution No. 12/1992.Sd/- (C.M. Balaraman) Officiating Secretary Bar Council of India.