

THE CONSTITUTION  
OF  
THE DHAKA BAR ASSOCIATION

(AS MODIFIED AND AMENDED)  
UPTO DECEMBER 2006

14<sup>th</sup> Amendment Edition

Published by :

Abdul Baten

General Secretary

Dhaka Bar Association

First Amendment	1983
Second Amendment	1986
Third Amendment	1989
Fourth Amendment	1992
Fifth Amendment	1993
Sixth Amendment	1995
Seventh Amendment	1998
Eighth Amendment	1999
Ninth Amendment	1999
Tenth Amendment	2002
Eleventh Amendment	2003
Twelfth Amendment	2005
Thirteen Amendment	2006
Fourteen Amendment	2006

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Dhaka Bar Association

6-7, Court House Street,

Dhaka, Bangladesh

Phone : 7123499, 7119682, 7170688

Printed by :

Nobin Printing Press

15 Indira Road, Farmgate, Dhaka

Phone : 01199554072, 01712-649030

## Forword

The Constitution of Dhaka Bar Association was printed and published in 1983 for the first time and was further amended in 1986, 1989, 1992, 1993, 1995, 1998, 1999, 2002, 2004, 2005 and 2006 whereas it was necessary and expedient further to amend the constitution of the Dhaka Bar Association for interest an welfare of the members of the Association. With this end in view the Executive Committee constituted a sub-committee in its meeting held on 2.4.06, with the following members as follows :

1. Al-haj Md. Nuruzzaman (Noni)	President	Convenor
2. Abdul Baten	General Secretary	Member Secretary
3. Al-haj Shah Alam Talukder	Senior Vice-President	Member
4. S.M. Anwar Hossain	Vice-President	“
5. Ibne Aziz Md. Nurul Huda	Treasurer	“
6. Sardar Md. Suruzzaman	Ex-President	“
7. T.M. Akbar	“	“
8. Abu Sayeed Sagar	“	“
9. Afsar Uddin Ahmed Khan	“	“
10. Syed Rezaur Rahman	“	“
11. Md. Lothfe Alam	“	“
12. Enayet HossainKhan	“	“
13. S.M. Altaf Hossain	“	“
14. Al-haj Mohammad Israfil	“	“
15. Md. Shahabuddin	“	“
16. Abdus Sabur	“	“

The sub-committee in its meeting held on 15.5.06, 16.11.06 and 19.11.06 and suggested amendment in Article in Proposed new clauses as the proposed amendment insertions and addition were unanimously approved by the executive Committee in its meeting held on 23.11.06 and placed the proposed amendments before the general body on 30.11.06 after and detail discussion unanimously approved the proposed amendments, insertion and addition with a few modifications.

I am grateful to the sub-committee, specially to Mr. Alhaj Md. Nuruzzaman Noni president, Mr. Ibne Aziz Md. Nurul Huda, Treasurer and the executive committee of the Dhaka Bar Association and the General body for this valuable suggestions and for this great task.

I hope that the amendment, insertion and addition in the constitution will meet the necessity of the Association.

With Thanks

Abdul Baten  
General Secretary  
Dhaka Bar Association  
And  
Member Secretary  
Constitution Sub-committee

EXECUTIVE COMMITTEE OF  
THE DHAKA BAR ASSOCIATION FOR THE YEAR  
2006-2007

OFFICE BEARERS

- |     |   |                                 |
|-----|---|---------------------------------|
| 1.  | Mr. Al-Haj Md. Nuruzzaman (Noni)        | Presidnet                       |
| 2.  | Mr. Al-Haj Shah Alam Taluker            | Senior vice-President           |
| 3.  | Mr. S.M. Anwar Hossain                  | Vice President                  |
| 4.  | Mr. Abdul Baten                         | General Secretary               |
| 5.  | Mr. Ibne Aziz Md. Nurul Huda            | Treasurer                       |
| 6.  | Mr. Md. Jahangir Hossain (Dulal)        | Senior Asstt. General Secretary |
| 7.  | Mr. Al-Haj Azizul Haque Chowdhur (Rumy) | Asstt. General Secretary        |
| 8.  | Mr. Md. Mizanur Rahman Mamun            | Library Secretary               |
| 9.  | Mrs. Umme Kulsum Smrity                 | Cultural Secretary              |
| 10. | Mr. Md. Ferozur Rahman (Montu)          | Office Secretary                |

MEMBERS

1. Ms. Jobaida Sultana (Doly)
2. Mr. Md. Nazrul Islam Sarder
3. Mr. Md. Hafizur Rahman Tota
4. Mr. Md. Abu Tayob
5. Mrs. Halima Akter
6. Mr. Md. Abdul Kader Patwary
7. Mr. Md. Mukter Hossain (Sujon)
8. Mr. Gazi Mu. Shakhaout Hosen (Swapon)
9. Mrs. Noor Jahan Khatun Uzzal
10. Mr. Mohammad Shah Alam
11. Mr. Abu Saleh Md. Fazle Rabbi Khan
12. Mr. Shahab Uddin Ahmaed (Tipu)
13. Mrs. Nahid Farzana Ahmed
14. Mr. Md. Iqbal Hossain
15. Ms. Morshada Khatun Shilpi

## Forword

The Constitution of Dhaka Bar Association was printed and published in 1983 for the first time and was amended in 1986, 1989, 1992, 1993, 1998 & 1999, Circumstances necessitated further amendment in 1999 and as such the Executive Committee (1999-2000) Constituted a sub-committee for suggesting amendment consisting of 39 members as follows :

1.	Mr. abdur Razaque Khan	Convenor
2.	Mr. Alhaj Mohammad Israfil Member	Secretary
3.	Mr. Md. Abdullah Abu	Member
4.	Mr. Md. Borhan Uddin	Member
5.	Mr. A.F.M. Golam Fattah	Member
6.	Mr. Faizur Rahman Khan	Member
7.	Mr. Dewan Abul Abbas	Member
8.	Mr. Sardar Mohammad Suruzzaman	Member
9.	Mr. Alhaj A.K. Momtaz Uddin	Member
10.	Mr. T.M. Akbar	Member
11.	Mr. Ramjan Ali Khan	Member
12.	Mr. Abu Sayeed Rahman	Member
13.	Mr. Sayed Razaur Rahman	Member
14.	Mr. Abul Hossain Talukder	Member
15.	Mr. Abu Naser Md. Wahed	Member
16.	Mr. Abdus Saboor Ashrafee	Member
17.	Mr. Munshi Fakhru Islam	Member
18.	Mr. M. Habibullah	Member
19.	Mr. M. Sajwar Hossain	Member
20.	Mr. Md. Ibrahim Mollah	Member
21.	Mr. Lutfu Alam	Member
22.	Mr. Mohiuddin Ahmed	Member
23.	Mr. Khan Farhad Uddin Islam	Member
24.	Mr. Alhaj Md. Nazrul Islam	Member
25.	Mr. Fakir Delwar Hossain	Member
26.	Mr. S.M. Altaf Hossain	Member
27.	Mr. Khandaker Abdul Mannan	Member

28.	Mr. Abdus Sabur	Member
29.	Mr. Altaf Uddin Ahmed	Member
30.	Mr. Md. Naruzzaman (Noni)	Member
31.	Mr. Md. Abdullah Mahmud Hassan	Member
32.	Enayet Hossain Khan	Member
33.	Shahara Khatun	Member
34.	Mr. K.K. M. Salimullha	Member
35.	Fazlur Rahman Khan	Member
36.	Mr. Mosharraf Hossain Khan	Member
37.	Ershadur Rahman (Babur)	Member
38.	Mr. Abu Md. Murtaish	Member
39.	Mr. Mofizur Rahman	Member

The sub-committee in its Meeting held on 5-7-99, 12-7-99, 14-7-99, 19-7-99, 26-7-99 suggested some amendment and insertions as is Article 2 (o), 2(t), 6(ii), 8(c), 27(a), 27(b), 30(a), 30(i), 39(a), (b),(c), (e), (f),(g), 40 (a), (b), (c), 40A(i), (ii), (iii), 41(a), (b), (c), (d), (e), (f), (g), (h), (g), (h), (i), (j), (k), (j), (k), (I), and 46. The proposed amendments were unanimously approved by the Executive Committee in its meeting held on 12-8-99 and in General body meeting held on 22-9-1999.

I am grateful to the members of the Sub Committee specially to Mr. Abdur rezaque Khan, Convenor, Mr. Alhaj Mohammed Israfil Office bearers an members of the executive committee and the General body for their valuable suggestions. The newly printed edition of the constitution will meet the long felt necessity of the members of the Association.

With thanks

Md. Abdullah Abu

General Secretary

Dhaka Bar Association

## Forword

The Constitution of Dhaka Bar Association was published in 1983 for the first time and was amended in 1986, 1989, 1992, 1993, 1998 & 1999, Circumstances necessitated further amendment in 1999 and as such the Executive Committee (1999-2000) Constituted a sub-committee for suggesting amendment consisting of 24 members as follows :

1.	Mr. Sardar Mohammad Suruzzuman	Convenor
2.	Mr. Ashrafuzzman	Member Secretary
3.	Mr. Sk. Hemayet Hossain	Member
4.	Mr. Abdullah Mahmud Hassan (Hassan)	Member
5.	Mr. Abdur Rahman	Member
6.	Mr. Faizur Rahman Khan	Member
7.	Mr. Altaf Hossain	Member
8.	Mr. Ramjan Ali Khan	Member
9.	Mr. Alhaj Md. Nazrul Islam	Member
10.	Mr. T.M. Akbar	Member
11.	Mr. Fakir Delwar Hossain	Member
12.	Mr. Sayed Altaf Hossain	Member
13.	Mr. S.M. Altaf Hossain	Member
14.	Mr. Golam Moinuddin	Member
15.	Mr. Abdus Sabur	Member
16.	Mr. Abdur Saboor Ashrafee	Member
17.	Mr. Enayet Hossain Khan	Member
18.	Mr. Mohiuddin Ahmed	Member
19.	Mr. Shafiuddin Mallik	Member
20.	Mr. Munshi Fakhirul Islam	Member
21.	Mr. Altafuddin Ahmed	Member
22.	Mr. Md. Nuruzaman (Noni)	Member
23.	Mr. A.K.M. Salimullah	Member
24.	Mr. Ziad Al-Malum	Member

The sub-committee in its Meeting held on 27-09-98, 12-10-98 suggested a new clause as Article 40 (C). The proposed new Clause was unanimously approved by the Executive

Committee in its meeting held on 14-10-99 and in General body in the meeting held on 04-02-1999.

I am grateful to the members of the Sub Committee specially to Mr. Sardar Mohammad Suruzzaman, Convenor, Mr. Ashrafuzzaman, Member-Secretary, Mr. Sk Hemayet Hossain, Mr. Sardar Abdur Rahman and also to office Bearers and member of the Executive Committee and the General Body for their valuable suggesting and sincere participation. I expect that the addition of Article 40 (C) as appears in printed form in the newly printed edition of the constitution will meet the long felt necessity of the members of the Association.

With thanks

Abdullah Mahmud Hassan (Hassan)

General Secretary

Dhaka Bar Association

Date, the 28 February, 1999

## Forword

(1995)

The Constitution of Dhaka Bar Association was published in 1983 for the first time and was amended in 1986, 1989, 1992, 1993. With the change of time, circumstances necessitated further amended of the constitution. So the executive committee constituted a Sub-Committee in its meeting held on 16/04/1994 costing of 13 members as follows :

1.	Mr. Ramjan Ali Khan	President	Convenor
2.	Mr. Md. Shahbuddin	Vice President	Join Convenor
3.	Mr. Abdus Sabur	General secretary	Member
4.	Mr. Faizur Rahman Khan	Ex-President	Member
5.	Mr. Sarder Md. Suruzzaman	Ex-President	Member
6.	Mr. Altaf Hossain	Ex-President	Member
7.	Syed Rezaur Rahman	Member, Bangladesh Bar Council	Member
8.	Mr. Abdus Sabur Ashrafee	Ex-General Secretary	Member
9.	Mr. S.M. Altaf Hossain	Ex-Vice President	Member
10.	Mr. S.M. Nurul Hoque	Ex-Vice President	Member
11.	Mr. Enayet Hossain Khan	A.G.P	Member
12.	Mr. A.F.M.S Islam (Mukul)	Treasurer	Member
13.	Mr. Md. Israfil		Member

The Sub-Committee in its Meeting held on 14-05-1994, 19-06-1994, 08/09/1994 and 29/09/2004 suggested some amendments in Articles 2, 5, 12, 29, 30, 35, 39, 40, 42, 43, 44, 47, and also some new clause and article as 2(h), 2(i), 6 (ii), 8 (c), 8 (d), 29 (iv), 36 (m), 39(c), 40 (b), and 59 the proposed amendments of the Sub-Committee were unanimously approved by the Executive Committee in its meeting held on 30/10/1994, those were placed before the General Body on 14/01/1995, 16/01/1995 and finally unanimously approved on 19/01/1995 with some modifications.

I am grateful to the members of the Sub Committee specially to Mr. Shabuddin Junior Vice-President, Executive Committee and the General Body for their valuable suggestions, sincere co-operation, active service and participation for the successions, sincere co-operation, active service and participation for the success of the great task with expectation that amended constitution will meet the long felt necessity of the Association.

With thanks

General Secretary

and

Member Secretary

Constitution Sub-Committee

Dhaka Bar Association

Date, the 19<sup>th</sup> January, 1995



## Forword

(1993)

The Constitution of Dhaka Bar Association was published in 1983 for the first time and was amended in 1986, 1989, 1992. With the change of time, circumstances necessitated further amended of the constitution. So the executive committee constituted a Sub-Committee in its meeting held on 28/04/1992 costing of 20 members as follows :

1.	Mr. Alhaj Syed Mahbub Ali	President	Convenor
2.	Mr. Khandakar Abdul Mannan	General Secretary	Member-Secretary
3.	Mr. A.F.M. Abdul Wadud	Vice-President	Member
4.	Mr. Md. Idris	Ex-President	Member
5.	Mr. Dewan Abul Abbas	Ex-President	Member
6.	Mr. Mohiuddin Ahmed	Ex-Vice-President	Member
7.	Mr. Sardar Mohammad Suruzzaman	Ex-President	Member
8.	Mr. T.M. Akbar	Ex-Vice-President	Member
9.	Mr. Alhaj Nazrul Islam	Ex-General Secretary	Member
10.	Mr. A.N.M Wahed	Ex-General Secretary	Member
11.	Mr. Abdus Saboor Ashrafee		Member
12.	Mr. Waliur Reza Choudhury		Member
13.	Mr. Aftabuddin Ahmed		Member
14.	Mr. Lutful Hoque Mazumder		Member
15.	Mr. L. Gomes		Member
16.	Mr. Fakir Abdul Mannan (2)	Treasurer	Member
17.	Mr. Md. Maiur Rahman	Asstt. General Secretary	Member
18.	Mr. A.K.M. Salimulla		Member
19.	Mr. Abul Salimullah		Member
20.	Mr. Abu Baker Siddique		Member

The Sub-Committee in its on 29/8/82, 7/10/92, 15/10/92, 18/10/92, 22/10/92, 9/11/92 & 4/1/93 suggested some amendments in Articles 8, 16 (c), 16 (d), (i), 16(e), (ii), 30 (g), 30(h), 37(a), 39(b), 42 and also some new clause were added as article 8(c), 7(d), 18(c) it may be mentioned here with herfelt grief that the President Al-Haj Syed Mahbub Ali of the Association and Convenor of this Sub-Committee, Suddenly Died on 22/1/93 at 1 A.M. during the tenture of his office, for which the Senior Vice-President Mr. A.F.M. Abdul Wadud resumed the office of Presidnet and the convenor of the Constitution amendment sub-committee. The proposed amendments of the Sub-Committee were ..... proposed amendments of the Sub-Committee in its meeting held on 16/7/93, and those were placed before the General Body on 21/7/92, 31/10/92 and finally unanimously approved on 30/1/93 with some modifications/

I am grateful to the members of the Sub Committee. Executive Committee and the General Body for their valuable suggestion, sincere co-operation, active service and participation for the success of the great task with expectation that the amended constitution will meet the long felt necessity of the Association.

With thanks

Khandakar Abdul Mannan

General Secretary & Member Secretary

Constitution Sub-Committee

Dhaka Bar Association

Date, the 30<sup>th</sup> January, 1993

## Forword

(1992)

The original constitution of the Dhaka Bar Association kept in typed pages which was amended, printed and published in 1983 for the first time and was further amended in 1986 and 1989. But with the change of time, exigencies necessitated further amendments to the constitution to make it more workable.

With that end in view, the Executive committee (1991-1992) felt it necessary to further amend the constitution and constituted a nine members "Constitution Amendments Sub-Committee" in its meeting held no 06.05.1991 with the following gentlemen:

1.	Mr. Munshi Fakhurul Islam	Ex-Vice-President	Convenor
2.	Mr. S.M. Altaf Hossain	General Secretary	Member-Secretary
3.	Mr. Mohiuddin Ahmed	Ex-General Secretary	Member
4.	Al Hajj Md Nazrul Islam	Ex-General Secretary	Member
5.	Al Hajj Md Nazrul Islam	Ex-General Secretary	Member
6.	Mr. Abdus Saboor Ashrafee	Ex-Vice-President and General Secretary	Member
7.	Mr. A.B.M. Waliur Rahman Khan	Treasured	Member
8.	Mr. A.K.M. Salimillah		Member

The Sub-Committee its meeting held on 11-07-91, 12/09/91 and 20-92 suggested some amendments in articles 2, 5, 7, 8, 12, 16, 22, 29, 30, 34, 36, 45, 46, 48, 49 and 15. The Sub-Committee also proposed for insertion of Article 2(p) Article 3A, substitution of Article 11, Article 30 (i), Article 31 (a), Article 36 (k), 36 (i), Article 40 (a), 40 A, 40 A (i), 404 (ii) Article 51 51 (a) with the Appendix "C" and a new column as 8 in appendix A and submitted the proposed amendment to the Executive Committee on 23.01.1992. The Executive Committee unanimously approved the proposed amendments in its meeting held on 27.01.1992 and placed the proposed amendments before the General Body on 29.01.1992.

The General Body, after detail discussions unanimously approved the proposed amendments with a few modification.

I am thankful to the Sub-committee, Executive Committee and the General Body for their valuable suggestions and cordial participation. I also hope and believe that, amended constitution will be able to meet the long felt needs of the Association.

With thanks

S.M. Altaf Hossain

General Secretary & Member Secretary

Constitution Sub-Committee

Dhaka Bar Association

Date, the 2<sup>nd</sup> February, 1992

## Forword

(2005)

The Constitution of Dhaka Bar Association was printed and published in 1983 for the first time and was further amended in 1986, 1989, 1992, 1993, 1995, 1998, 1999, 2002, 2004 and 2005. Where as it was necessary and expedient further to amend the constitution of the Dhaka Bar Association for the interest and well-fare of the member of the Association. With this end in view the Executive Committee constituted a sub-committee in its meeting held on 03 January 2006, with the following member as follows :

1.	Mr. Abdus Sabur	President	Convenor
2.	Mr. Md. Khorshed Alam	General Secretary	Member-Secretary
3.	Mr. Shah Md. Shabab Uddin	Senior Vice-President	Member Member
4.	Mr. Sudhir Kumar Hazra	Vice-President	Member
5.	Mr. Khandoker Md. Hozrat Ali	Treasurer	Member
6.	Mr. Md. Mahbubur Rahman	Senior Asstt. Gen. Secretary	Member
7.	Mr. Md. Kabir Hossain	Office Secretary	Member
8.	Mr. Dewan Abul Abbas	Ex-President	Member
9.	Mr. Sardar Mohammad Suruzzaman	Ex-President	Member
10.	Mr. T.M. Akbar	Ex-President	Member
11.	Mr. Abu Sayeed Sagar	Ex-President	Member
12.	Mr. Sayed Rezaur Rahman	Ex-President	Member
13.	Mr. Luthfe Alam	Ex-President	Member
14.	Mr. Md. Enayet Hossain Khan	Ex-President	Member
15.	Mr. Alhaj Mohammad Israfil	Ex-President	Member
16.	Mr. Shahabuddin	Ex-President	Member
17.	Mr. Alhaj Nazrul Islam	Ex-General Secretary	Member
18.	Mr. Md. Abdullah Abu	Ex-General Secretary	Member
19.	Mr. Nuruzzaman (Noni)	Ex-General Secretary	Member
20.	Mr. Md. Mohoshin Miah	Ex-General Secretary	Member
21.	Mr. Sana Ullah Miah	Ex-General Secretary	Member
22.	Mr. Alhaj Md. Bourhan Uddin	Ex-General Secretary	Member

The Sub-Committee in its meeting held on 25/01/2006 and 29/01/2006 and suggested some amendments in Articles 29, 30 (a), 30 (g), 30(h), 30 (k), 37(f), 40(b), 40(b-vi), 40(e-i), 40(e-iii), 40(e-iv), 40(h), 42, 45, 46, 47 and Appendix `B', proposed new clauses as 2(h-iii), 29(ix), 30(a-i), 30(c-i), 22(I), 39(a-i), The proposed amendments insertions and addition were unanimously approved by the executive committee in its meeting held on 29/01/2006 and placed the proposed amendments before the general body on 05/02/2006, after a detail discussion unanimously approved the proposed amendments, insertion and addition with a few modifications.

I am grateful to the sub-committee, specially to Mr. Abdus Sabur, President, Mr. Khandaker, Md. Hazrat Ali, Treasurer and Mr. Md. Mahbubur Rahman, Senior Assistant

General Secretary and Yeardia Zaman (Moni) member and the executive committee of the Dhaka Bar Association and the General body for this valuable suggestions and for this great task.

I hope that the amendment, insertion and addition in the constitution will meet the necessity of the Association.

With thanks

(Md. Khorshed Alam)

General Secretary

Dhaka Bar Association

and

Member Secretary

Constitution Sub-Committee

THE CONSTITUTION  
OF  
THE DHAKA BAR ASSOCIATION

Where it is expedient to provide a constitution for the Dhaka Bar Association for the purpose of conduction all the legal and right-ful norms of the members of the Association and for consolidating the procedure for the well being of the members of the Association in relation to matters incidental or ancillary thereto;

Now, therefore the Dhaka Bar Association has farmed this constitution.

General

1. The Association is and shall be called “Dhaka bar Association”. It may be registered under the Societies Registration Act. 1860 (Act XXI of 1860) as and when considered necessary by General Body.
2. a) The expression “The Association” wherever used herein after shall mean the Dhaka Bar Association and in Bengali shall mean Dhaka Ainjibi Samity.  
b) “Advocate: means an Advocate entered in the roll under the provisions of the Bangladesh Legal Practitioners and Bar Council Order 1972 (P.O. 46 of 1872 as amended).  
c) “Bar Council” means the Bangladesh Bar Council constituted under P.O. 46 of 1972.  
d) “Member” means an Advocate whose name is enlisted in the roll of the Association and Whose membership is not lost vide Article 8 of the constitution. Membership Number will be permanent upto one lac.  
e) “Building Fund” means the Fund raised and used exclusively for the purpose of constructing new buildings or extension/renovation of the existing one, improvement, and maintenance thereof.  
f) “General Body” means the Body consisting of all the members of the Association.  
g) “Benevolent Fund” means the fund raised, created and maintained for the purposes of payment out of the Benevolent Fund to the members, heirs or successors, or nominee if any, of the deceased member in accordance with the provisions provided hereinafter.

- h) “Medical Fund” means the fund raised, created and maintained for the purposes of payment of the salary of the appointed physician and to defray the ancillary, incidental and other attending costs to ensure proper medical treatment of the members of the Association.
- i) “Member Welfare Fund” means the fund raised created and maintained from the voluntary contribution by any individual member, by any association, from government, by non-government organization (N.G.O.) or from any sources of the Bar Association or from any other legal source for the purpose of giving loan to the needy members having continuous at least 3 (three) years membership or their heirs in case of their extreme necessity because of serious illness, hardship in case of their children’s education, marriage of his/her or of their sons or daughters. The fund shall be controlled and dealt by the executive committee along with the advice of sub-committee formed if any. The amount of loan will not be more than Tk. 10,000/- (Taka ten thousand) only at time and not more than Tk. 20,000/- (Taka twenty thousand) only in whole life. The loanee will return borrowed money with 10% (Ten) simple interest per annum within 2 (two) years time from taking loan. In case he/she fails to return the loan money with aforesaid interest within (two) years then 3 (three) times of loan money shall be deducted from his/her benevolent fund during final account.
- ii) “Legal Aid Fund” means the fund raised, created and maintained for the purpose of Legal Aid.
- iii) “Members distressed family welfare fund” to help the distressed family of an advocate who meets death by miscreants or accident.
- iv) “Staff Provident Fund” means the fund raised, created and maintained for the purpose of payment to staffs, heirs or successors or nominee if any of the deceased staff in accordance with the provision provided hereinafter.
- i) “Library Fund” means the fund raised, created and maintained for the purpose of defraying the costs that would be required for the purchase of law books, journals, periodicals etc.
- j) “Defaulter” means a member who fails to pay his monthly subscription, rent of the cubicles according to the terms of contract and other dues and claims payable by his or who fails to return the book taken by his from the library or pay the price of the book under the provisions of the constitution of the Association in time.
- k) “President” means the head of the Association duly elected as president of the Association in the Annual General Election.
- l) “Vice President” means the office bearer duly elected as Vice-President in the Annual General Election. The Vice-President securing highest votes shall be treated as senior Vice-President.
- m) “General Secretary” means Elected Body consisting of the Office bearers and members of the Association elected in the Annual General Election.

- n) “Executive Committee” Means Elected Body consisting of the Office bearers and members of the Association elected in the Annual General Election.
- o) “Office bearer” means and includes President. Two Vice-President, General Secretary, Treasurer, Two Assistant General Secretary, Library Secretary, Cultural Secretary and Office Secretary. The Assistant General Secretary Securing highest votes shall be treated as senior Assistant General Secretary.
- p) “Election Commission” means the Chief Election Commissioner. Election Commissioner and Member of the Election Commission constituted by the Executive Committee for holding Annual General Election of the Executive Committee.
- q) “Misconduct” means conduct derogatory to the behavior of legal practice, sitting in a public place or near court hajat, or any police station or in offices or in verandas of the court, court rooms or typist shed or in any stall for collection and procuring briefs or of soliciting and securing accepting briefs form touts, semi touts or undesirable element or form police stations or any conduct which may effect the status of the profession directly or indirectly and violates the etiquettes in any manner.
- r) “Etiquettes” means and includes “Cannons of professional Conduct and Etiquette” as adopted by the Bangladesh Bar Council.
- s) “Dress” means a black or white chapkan, achkan, or buttoned up long coat with Trousers to match and a black alpaca Gown of the cut and shape of a B.A. Gown or a Black Coat with dark or white Trousers and a black or dark colored plain Tie and the Gown.
- t) “Advocate’s Housing Estate” mean’s the housing society for the learned members of Dhaka Bar Association as may be constituted by the Association on due approval of the General Body.
- Office 3. The Office of the Association in and shall be located at 6-7 Court House street, Dhaka, unless otherwise decided by the General Body.
- a) The Association shall be a body corporate, having perpetual succession and common seal, with power to acquire property, both movable and immovable, and to contract, and shall by the said name sue and be sued.
- Official year 4. The Official year of the Association shall be the English official calendar year commencing from the first day of March and official year ending on the last day of next February.
- Aims & Objects 5. The Aims and objects of the Association are
- a) To provide for its members a common place, where all the members of Association may gather and have all facilities for conducting their profession.
- b) To Provide for the use of its members books and journals for diffusion of knowledge and to maintain a well equipped and up-to-date library.
- c) To protect the interest of its members as a dignified legal professional



class.

- d) To foster and uphold the dignity and independence of the Bar and its members in Courts, Offices and in other places.
- e) To strive for improving the general proficiency, dignity and professional etiquette and other allied matters relating to members of the Association.
- f) To root out professional misconduct amongst members of the Association.
- g) To root out corruption in Courts and public Offices.
- h) To make all round efforts for maintaining and upholding the dignity of the Rule of Law.
- i) To give or arrange for legal aid to the distressed persons.
- j) To publish journals and to hold law seminars.
- k) To organize social, religious, cultural and re-creative functions including games and sports.
- l) To promote and give effect of the aims and objects and the purpose of the Association.
- m) To do and perform such other act or acts which are and would be necessary and congenial for the achievement of the above objects.

Eligible for the membership

- 6. i) Any person being a Law Graduate entitled to practice as practice as an advocate under the provisions of the Legal Practitioner's and Bar Council. Order, 1972 (P.O 46 of 1972) and as amended, there after would be eligible for the membership of the Association: Provided he/she applies and is admitted as a member under the provisions contained hereinafter and the further the applicant who is, was a member of some other Bar Association should bring a clearance form that Bar for being a member of this Association and further provided that this Association has the option to refuse the admission to any person, if considered otherwise undesirable.
  - ii) Except those enrolled in the Supreme Court Bar Association the lawyers who are practicing in the Court under the District and Sessions Judge, Dhaka, in the Court of Metropolitan Sessions Judge and also in the Magistracy they must have membership of this Bar.
7. The members of the Association shall consist of :
- a) The existing members
  - b) Those persons who may hereinafter be admitted into the membership of the Association and continue as such under the rules.
  - c) If any member desires suspend his/her membership for a temporary period, such suspension shall be governed under the rules of the Bar Council Act.
  - d) If any member retires from practice but subsequently he/she again desires to readmit his/her membership, he/she may do so, as a new entrance.

Loss of Membership

- 8. a) Membership of the Association shall cease :
  - (i) By resignation tendered to and accepted by the Executive Committee of the Association.

- (ii) By Death.
  - (iii) By expulsion for any misconduct.
  - (iv) By conviction in any court for Law for moral turpitude.
  - (v) By incurring loss of qualification of membership due to non payment of dues, cubicles rent as per terms and condition of the agreement and non return of library book of the Association hereinafter provided.
  - (vi) By insanity.
  - (vii) By being debarred from practicing as an Advocate.
- b) The Association may warn/censure/suspend any member of the Association if; such member appears in any court without conventional dress of a lawyer as described in civil rules.
  - c) If any member becomes a defaulter for 3 (three) consecutive years his/her membership shall cease permanently. And if such member desires to be a member afresh he/she may be so allowed and in that case he/she shall not be entitled to any previous usual benefit of the Membership from Benevolent Fund like other normal members benefit to Membership but he/she will get the refund of the amount actually contributed to the Benevolent Fund.
  - i) Provided if any member defaults within 20 (twenty) years of membership he/she will get the refund of the amount actually contributed only to the benevolent Fund by his/her. If he/she defaults after 20 (twenty) years of membership he/she well get the refund inthe following rates.
    - a) If defaults within 20-30 years then actual contributed amount plus 30,000/- (thirty thousands) Taka only.
    - b) If defaults after 30 years then actual contributed amount plus 50,000/- (fifty thousands) Taka only provided that all the claims from defaulting members or from their heirs must be placed within 1 (one) year form the date of dismember ship otherwise their claim shall not be entertained.
    - d) If any member ceases the be member fails to satisfy the requirement of clause 8 (c) above his/her name may be referred to the Bangladesh Bar Council for suspension of his/her “Sanad”
    - e) If any member becomes liable to pay any money to the Association on any account what s0-ever, his/her membership shall be liable to be ceased in case of his failure to pay such outstanding within three years otherwise, his/her name may be referred forthwith to the Bangladesh Bar Council for suspension of his/her Sanad.
    - f) Any members who are not practicing in the courts regularly. rather they are engaged in any profitable job, salaried services, serving in N.g.O. or in Government offices, serving in School/College/University (other than as part time law teacher), serving in home or abroad, they must suspend their membership and intimate the Bar Association in writing on that behalf. Otherwise the afore-category of members shall loose their membership including forfeiture of all benefit of the association and their name shall be

referred to Bangladesh Bar council for suspension of their Sanad.

- g) If any member destroys or cause damages to any property of the association shall be liable to repair or replace the property including warning warning/admonishing/disciplinary action recommended by the executive committee.
- General Body Executive Committee
9. All members of the Association shall constitute shall constitute the General Body.
10. a) The Association shall through an Elected Committee consisting of the following Office bearers and members.
- |                              |              |
|------------------------------|--------------|
| (i) President                | 1 (one)      |
| (ii) vice- President         | 2 (two)      |
| (iii) General Secretary      | 1 (one)      |
| (iv) Treasurer               | 1 (one)      |
| (v) Asstt. General Secretary | 2 (two)      |
| (vi) Library Secretary       | 1 (one)      |
| (vii) Cultural Secretary     | 1 (one)      |
| (viii) Office Secretary      | 1 (one)      |
| (ix) Member                  | 15 (fifteen) |
- Terms of office of the committee
- Bar to Re-Election
- Making over charge to newly elected Executive Committee
- Power & functions of the Executive Committee
11. b) The aforesaid office bearers and members shall be elected from amongst the members of the Association according to the rules provided hereinafter and they shall hold office for one year or till making over charge to the newly elected Executive Committee.
- c) No particular office bearer shall be eligible for re-election for the same post for the third consecutive term.
- 11 The out-going Executive Committee shall make over the charge within 7 (seven) days of the new session of getting the annual Accounts approved in the General Meeting to the newly elected Executive Committee failing which the newly Elected Committee shall take over the offices on the next following day.
12. a) The Executive Committee shall be responsible for running affairs of the Association in accordance with the provision of the Constitution.
- b) The Executive Committee shall prepare the Annual Budget of the Association and get it approved by the General Body, within 30 days of assumption of office.
- c) The Executive Committee shall be responsible for proper maintenance of the buildings, library and other movable and immovable properties belonging to the Association.
- d) The Executive Committee shall be responsible for keeping proper accounts of all the funds, income receipts and expenditure incurred for running the affairs of the Association. The Executive Committee shall have the power to open, operate and close any Bank Account of the Association in the interest of the Association.
- e) The Executive Committee shall be competent to appoint, dismiss, discharge and remove any of the employees to the Association in accordance with rules.

- f) The Executive Committee shall be competent to fix up the salary and other terms and conditions of the service for the employees.
- g) If any irregularity or wrong is done by the previous Executive Committee through mistake in respect of salary or increment or of other matters of the members of the staff those can be rectified or corrected by the next committee.
- h) The Executive Committee shall be competent to hear the complaint against any member/members of the Association and to take appropriate action and decision in such matters as and when necessary, after hearing the parties, provided that, if the complaint is lodged by member or non members against a member of the Association such complaint shall accompany a fee of Tk. 100 (one hundred) and Tk. 300 (three hundred) only respectively.
- i) The Executive Committee shall be competent to induct tenant/tenants and realize rents from them on behalf of the Association and evict any or all of them as and when required.
- j) The Executive Committee shall be responsible for maintain a Canteen for the use of the members of the Association in the manner it thinks best.
- k) The Executive Committee shall constitute a Committee for the Library consisting of 5 (five) members including the library Secretary with shall be responsible to the proper and satisfactory functioning of the Library and shall remain responsible to the Executive Committee. The Committee for the Library shall be headed by the Library Secretary.
- l) The Executive Committee shall meet at least once a month or as often as it requires for proper discharge of its function and in all-important matters concerning the Association.
- m) The Executive Committee shall maintain a separate Register for the proceedings of the meetings of the General Body.
- n) The Executive committee may constitute Sub Committee or Committees to assist or help the Executive Committee in the management of any matter of the Association. Any or all such Sub-Committees so constituted will be deemed to have been dissolved with the completion of the particular work or works assigned to such Committee and shall stand dissolved with the expiry of the tenure of office of the Executive Committee.

Meeting of the Executive Committee and General Body  
 Notice of Meeting

- 13. Procedure for meeting of the Executive Committee and of General Body.
  - a) All meetings of the General Body and of the Executive Committee shall be convened by the General Secretary or in his absence by the assistant General Secretary in consultation with the President.
  - b) At least 3 (three) days notices shall be given or holding the meeting of General Body and 3 (three) days notice shall be given for convening the meeting of the executive Committee provided that, in case of emergency such meeting may be called at a shorter notice.

- Quorum
14. a) Seven members shall form quorum of the meeting of the Executive Committee.  
b) One hundred members shall form quorum of the meeting of the General Body.  
c) In case of the adjourned meeting of the General Body no quorum will be necessary.
- Categories of Meeting
15. Meeting shall be of the following categories.  
a) Ordinary General Meeting;  
b) Extra-Ordinary General Meeting;  
c) Requisition Meeting  
d) Annual Budget Meeting;  
e) Annual General Meeting;
- Ordinary General Meeting
16. a) The Ordinary General meeting shall mean the usual meetings of the General Body.  
b) The Extra-ordinary General Meeting shall mean the emergent/urgent meetings of the General Body.
- Extra Ordinary General Meeting
- c) If the General Secretary fails or omits to convene a meeting of the General Body in connection with any emergent or important matter and if a requisition is given and signed by at least 500 (five hundred) members of the Association by mentioning membership number with address and phone number if any in writing, the General Secretary shall call a Requisition Meeting of the Association for discussing the Agenda of such requisition within 10 days after receiving of the notice, provided that, if the General Secretary thinks that the subject matter of a requisition is objectionable and its discussion would be improper, he may refuse to convene such requisition. In that case the requisitions may convene such meeting.
- Requisition Meeting
- d) The Annual Budget Meeting shall mean the Meeting convened for the purpose of placing Budget of the Association by the incoming committee.
- Annual Budget Meeting
- e) The Annual General Meeting of the Association shall be ordinarily held once every year preferably in the month of February but not later than the 7<sup>th</sup> March, to transact the following business;  
(i) Consideration of the Annual report of the Association to be placed by the outgoing General Secretary.  
(ii) Consideration of the accounts of the receipt and disbursement of the money of the Association of the current year with audit report.  
(iii) Consideration of any other matter or matters that may be on the agenda.
17. The General Secretary shall be competent to convene Ordinary General Meeting, Extra-Ordinary General Meeting, and Annual Budget Meeting in consultation with the President.
- President shall preside
18. The President shall preside over all meeting of the General Body and of the Executive Committee. The President may, if he deems necessary, request the General Secretary to convene a Meeting of the General Body of Executive Committee. In case of failure of the Secretary, the president

may arrange such meeting.

- a) In case the president is absent or unable to attend in a meeting, one of the Vice-Presidents shall preside over it.
  - b) In the absence of the President and both the Vice President on any occasion, the meeting shall elect one Senior Member, as its Chairman for presiding over the particular meeting.
  - c) If a vacancy occurs in the office of President by death or resignation or if the President is unable to discharge the functions of his office on account of absence, illness or any other cause, the Senior Vice-President shall act as President and discharge those function until a President is elected or until the elected President resumes his office as the case may be.
19. Notice of all meetings of the General Body shall be in writing and published in the Notice Board and in such other manner as the General Secretary thinks proper provided that, want of knowledge of notice shall not affect the validity of any meeting.
20. The Bar Association Hall and all other rooms including the Library shall remain open daily from 9.00 A.M. to 5 P.M. Except holidays.
21. All employees of the Association shall be under the control and supervision of the Executive Committee.
22. a) The General Secretary shall be the Executive head, and shall be responsible to the Executive Committee and General Body for management of the affairs of the Association.
- b) The General Secretary shall have power to receive all subscriptions, donations, contributions, rent from tenants, fines from the members and to receive any money on behalf of the Association from the Treasury, Court, Office, Bank or Firm by giving receipt for the same and also to make payment after obtaining receipts on behalf of the Association.
- c) The Association shall receive all funds through bank and be kept in deposit with the Bank accounts standing in the name of the Association: provided that a maximum sum of Taka 20,000/- (twenty thousand) in cash may be kept in hand by the General Secretary for meeting up emergency and day to day expenses of the Association.
- d) The General Secretary shall be competent to spend money to meet the current expenditure of the Association including salaries of employees according to budget estimate and shall be responsible for maintaining proper accounts for the same.
- e) The General Secretary shall be entitled to spend any sum in excess of the budget estimate under all or any head or heads with the prior approval of the General Body.
- f) The General Secretary may, purchase furniture, fixture, fittings, electric appliances, or insure expenditure in connection with maintenance of or repairs to buildings, or purchase of books, exceeding Taka 5,000 with approval of the Executive Committee.
- g) The General Secretary may let out the Bar Association Hall to may

association or individual on payment of rent of Taka 5,000 (Taka Five Thousand) only per hall for a shift of three hours or part thereof on holidays and after business hours. In case of meeting/conference/seminars of the lawyers for the cause of the lawyers in general, on payment of minimum rent of Tk. 700 (Taka Seven Hundred). In case of marriage of members of the Association or his/her son and daughter he/she shall get the Hall free of rent but he/she shall pay of sum of Tk. 500 (Taka Five Hundred). Only as incidental charges. The semi-pucca hall at holding No. 7 Court House Street Dhaka. can be used on rental bases at the rate of Tk. 2,00 (Taka Two Thousand) only, per function.

- h) The General Secretary shall be competent to grant leave to the employees of the Association with or without pay as per Service Rule after making proper arrangement for the work.
  - i) The General Secretary shall deal with the complaints against employees regarding negligence of duty and discipline etc. in consultation with the President.
  - j) The General Secretary shall maintain a register containing list of title deeds regarding the immovable properties owned by the Association.
  - k) The General Secretary shall see that a register is maintained by the Clerk of the Association showing the entries regarding all furniture belonging to the Association.
  - l) The General Secretary shall also see that a separate register is maintained by the clerk of the Association showing the names and particulars of the recipients of the relief fund and benevolent fund and member's distress family welfare fund.
- Joint Power & Function of the Secretary & Treasurer
- Power of the Treasurer
23. a) The Bank Account shall be operated under the joint signature of the General Secretary and the Treasurer. If the Treasurer is not available for any reason the Executive committee may authorize either of the two Vice-President to operate Bank Accounts with the General Secretary.
- b) The General Secretary and the Treasurer shall be responsible for effective check over the receipts and expenditures of the Association. All vouchers shall be signed by the General Secretary and the Treasurer.
- c) The General Secretary and the Treasurer shall verify the book of accounts of the Association at least once a month.
24. a) The Treasurer shall maintain the accounts of receipts and expenditure of the Association.
- b) The Treasurer shall verify the day-to-day Bank collections of the Association.
- Power & function of the Assistant General
25. a) The Assistant General Secretary shall assist the General Secretary in all matters and shall perform the functions assigned to him by the General Secretary from time to time.
- b) The Assistant General Secretary shall perform the functions of the General Secretary in his absence in consultation with the president.

## Secretary

- Power & function of the Library Secretary
- Power & function of the Cultural Secretary & Office Secretary
- Sanction of General Body
- Fund of Association
26. a) The Library Secretary shall be responsible for proper maintenance of the library of the Association.  
b) The Library Secretary shall prepare and maintain complete catalogue of the book of the Library.
  27. a) Cultural Secretary shall be responsible for holding religious and cultural function including sports and games etc. in consultation with General Secretary.  
b) The office secretary shall supervise official works, Computer works, maintain filing register, movement register, inventory list, assets and liabilities of Dhaka Bar Association in consultation with the General Secretary.
  28. The sanction of the General Body shall be necessary in the following matter.
    - a) For rendering help or assistance to any institution or to any member or his/her heirs, or to any other person out of the fund of the Association, save and except the Benevolent and Relief Fund.
    - b) For purchasing or otherwise acquiring any immovable property, provided that no immovable property, shall be acquired by the Association except for the extension or improvement of the Association premises.
    - c) For mortgaging or otherwise disposing of any immovable property of the Association except for any the purpose specified in Provision to clause (b) above.
    - d) For borrowing any money exceeding Taka 5,000/- (Taka five thousand) only with or without security for any purpose of the Association.
    - e) In any other matters where in the opinion of the Executive Committee, Sanction of the General Body is Required.
  29. All money received by the Association as admission fee readmission fee, subscription from members, life members, contributions, donations, penalty or fine, cubicles or house rent, hall rent and sale proceeds or Vokalatname, hajira, petition, membership list, bail bounds contribution. Advocate clerk's admission and renewal fees etc. shall be deposited to the Bank Accounts of the Association. The funds of the association shall be classified as follows :
    - a) (i) General Fund
    - (ii) Benevolent Fund
    - (iii) Relief Fund
    - (iv) Building Fund
    - (v) Medical Fund
    - (vi) Library Fund
    - (vii) Legal Aid Fund
    - (viii) Member's Welfare Fund



- (ix) Member's distressed family welfare fund
  - (x) Staff provident Fund
- b) Separate account shall be maintained for respective fund
30. a) Any advocate who is a low Graduate desires to be enrolled as member shall submit an application in prescribed form to the General Secretary, duly proposed by a member and seconded by another member of the executive committee, the applicant shall pay along with the application an admission fee of Tk. 2,500/- (Two Thousand Five Hundred) together with contribution for Building Fund Tk. 300/- (Three hundred). Admission form Tk. 100/- (One Hundred), Relief Fund Tk. 50/- (Fifty), Staff Provident Fund Tk. 200/- (Two hundred), Medical Fund Tk. 40/- (Forty), Library Fund Tk. 40/- (Forty), Identity Card Tk. 75/- (Seventy Five), member's distressed family welfare fund Tk. 100/- (One Hundred) only. Price of Constitution per copy Tk. 50/- (Fifty), Membership Book per copy Tk. 250/- (Two Hundred fifty), Monthly subscription Tk. 15/- (Fifteen), Benevolent Fund Tk. 125/- (One Hundred Twenty Five) monthly, Building Fund Tk. 50/- (Fifty) in total Tk. 3895/- (Three thousand eight hundred ninety five) only and submit his/her bio-data, in duplicate with recent two passport size photographs and certificates of qualification and an application in prescribed form for appointment of nominee by the applicant in respect of admissible benefits payable.
- (i) An advocate who comes from another Bar Association and who goes from this Bar Association shall not be entitled to get the benefit of the Benevolent Fund of this Association. Save and except Supreme court Bar Association.
  - (ii) Every members shall contribute Tk. 100 (One Hundred) per annum from the year 2005-2006 towards the members distressed family welfare fund. Every such distressed family will get not less than Tk. 100000/- (One Lac) but not exceeding Tk. 300000/- (Three Lac).
- b) The General Secretary may admit the applicant as a member or refuse his admission assigning reason. In case of refusal the application shall be placed to the Executive Committee and the decision of the Executive Committee shall be final.
- c) If the Applicant is granted the membership, the applicant shall, after he/she has signed a list of membership form or register for the purpose, be deemed to be a member and acquires all the rights and privileges, obligations and responsibilities of a member of the Associations.
- (i) Every member shall bear the Identity Card by the hanging on the neck while in court and Curt Premises.
- d) The monthly subscription payable by each member of the Association shall be Tk. 15/- (Fifteen) only. In case of necessity the above subscription may be increased.
- e) Every member shall contribute a sum of Tk. 40/- (Forty) per annum towards the Medical Fund and Tk. 50/- (Fifty) ads Relief Fund.

- Outstanding at a time
- f) The monthly subscription must be paid on or before the 15<sup>th</sup> day of the following month. In case the 15<sup>th</sup> day in a holiday the dues must be paid on the preopening day.
- g) If a member fails to pay his monthly subscription and other dues payable to the Association within 15<sup>th</sup> (fifteenth) days of the expiry of the 3 months, he or she becomes a defaulter and if he or she does not pay the arrears on or before the 15<sup>th</sup> (fifteenth) day, then on the expiry of the aforesaid 15<sup>th</sup> (fifteenth) day of 4<sup>th</sup> month he/she shall be cease to be a member of the association and forfeit all his her rights and privileges of the membership, provided that he/she pays all his/her dues with a fine of Tk. 50/- (Fifty) per month of the first year, fine of Tk. 100/- (One hundred) per month of the second year and Tk. 200/- (Two hundred) per month in 3<sup>rd</sup> year to the association within three years, the general secretary may restore his or her membership in the association without any readmission fee in consultation with the president. In that case the defaulter members must pay all outstanding at-a time with fine.
- Life member
- h) A member having completed 15 years practice as a regular member of the Association may become a life member of the association on payment of Tk. 30,000/- (Thirty Thousand) only and out of which Tk. 20,000/- (Twenty Thousand) only and out of which Tk. 20,000/- (Twenty Thousand) will be deposited in Benevolent Fund Tk. 2000/- (Two Thousand) will be deposited in General fund Tk. 1500/- (One thousand five hundred) will be deposited in Library Fund. Tk. 1000/- (One thousand) will be deposited in Relief fund and Tk. 1000/- (One Thousand) will be paid to the Staff Provident Fund and Tk. 750/- (Seven hundred Fifty) to the Members Distressed Family Welfare Fund. Tk. 1000/- (One Thousand) will be paid to Medical Fund And Tk. 2000/- (Two thousand) will be paid to building Fund and Tk. 750/- (Seven Hundred Fifty) will be paid to members welfare Fund.
- i) The live members shall be exempted from payment of any compulsory dues and a register of Live Members shall be maintained by the Association.
- j) Every member shall pay a sum of Tk. 20/- (Twenty) only per annum towards the staff provident Fund.
- Audit
31. The Accounts of the Association shall be audited for the term of the Committee by a Chartered Accountant appointed by the Executive Committee and the audited accounts with audit report shall be submitted to the Executive Committee.
- a) The Executive Committee shall constitute an Internal Audit Party consisting of 3 (Three) members headed by the President and another two member form the General members. The Internal Audit Party shall audit the accounts of the Association at least once in every three month.
32. a) No member of the Association will appear or conduct or ague or act in any case, suit, appeal or in any other proceeding in any Court,

without the consent of the member or members already engaged on behalf of the same party, unless the previously engaged member has been paid his stipulated fees, provided that the rule shall not apply where the services of the already engaged member or members are not available to the party or where a member of the Associations engaged by the party not in exclusion of but in addition to the member or members already engaged.

- b) Any member violating the above rule shall be liable to reimburse the aggrieved member or members fees which have remained unpaid unless the executive Committee decides otherwise.
  - c) Any member committing any act which may come within the preview of professional misconduct and of discipline shall be liable to penalties viz. fine, warning, suspension or expulsion of membership of the Association as it deems fit and proper by the Executive Committee. Provided that in case of expulsion, the approval of the General Body will be necessary.
- No publication & discussion  
Ineligibility  
Membership
- Expulsion
- Library
- 33. No publicity shall be given to any discussion in any meeting of the Association unless a resolution has been adopted to that effect, any member who violated the same shall be liable for his/her conduct to the Executive Committee, whose decision in the matter shall be final.
  - 34. The Association shall not admit any person as member/Mohorar who has been declared as tout by any competent authority or if convicted for moral turpitude by court of law or is in service under any body.
  - 35. If the conduct of any member be considered unprofessional or dishonorable by the Executive Committee which in its opinion, may or is likely to prejudice the decorum and prestige of the Association or legal profession, such member is liable to be expelled from the Association permanently and also be subject to any other penalty as may be deemed fit by the General Body including referring his/her name to Bangladesh Bar Council for further action.
  - 36. a) The Library Secretary shall be in-charge of the Library and shall recommend for purchase of books and journals to the Executive Committee. In special cases, the Library Secretary may purchase book in anticipation of approval by the Executive Committee. The Library Secretary shall not purchase books beyond Tk. 5,000/- (Taka Five thousand) without prior sanction of the Executive Committee.
    - b) Subject to any rule of decision of the Library Committee, approved by the Executive Committee, the Librarian will issue books to the members on receipt of slip containing his full signature with date and name of the Court where the books is taken and or on entering the issues of books in any register duly filled up in prescribed form.
    - c) No member shall be entitled to take any book to his/her house or at any place outside the Hall or Court premises, if it is detected that any member by suppression fact or fraudulently taken any book of the Library to his/her house or any other place he/she will lose his/her membership and shall also be liable to pay fine.

- d) The Library Secretary shall ensure that books taken by the members are returned and the returns are duly noted. The Library Secretary shall decide whether any particular Books in view of non-return of earlier books or for any violation of the rules and regulation of the Association.
  - e) No books shall be issued to any defaulting member of the Association.
  - f) When any book or books taken by a member for use in the Hall is not returned on the next day the member shall be liable to pay a fine to Tk. 20 (Taka Twenty) per book per day and he/she shall not be entitled to use any book of the library till he/she has returned the books taken by him/her or paid double the price of the said books of the present market price to the office of the Association in case of missing and loss.
  - g) The decision of the Book Committee regarding issue and return of the book to and by members shall be final.
  - h) When a book taken by a member for his use or for use of any court is lost, he shall either substitute a copy of such Book or pay double the market price for procuring such copy. In case he/she fails to do so then the library secretary shall prepare and submit a list of defaulting borrower of books with price and fine fixed for realization to the general secretary. Outstanding amount of those individual defaulting shall be included along with their annual dues. So, that it can be collected with their annual dues. If even after that, the outstanding remains unpaid the, 10 (ten) times of the price of the book shall be deducted from his Benevolent Fund during final account.
  - i) In case, any member fails to pay the value of any book lost or fails to return any book taken by him for a period of 15 days, the Library Secretary shall take necessary action against him and shall refer the matter to the Executive Committee for approval. The decision of the Executive Committee shall be final and binding.
  - j) A complete catalog of the books prepared by the Librarian and checked by the members of the Book Committee shall be kept in under the supervision of the Library Secretary.
  - k) The Library Secretary shall also maintain a complete Register of Book showing the actual number and price thereof against each.
  - l) The Library Secretary shall keep the Reading Room neat and clean and shall not allow any outsiders and no member shall use the Reading Room other than for the Reading of reference and Text Books of law.
37. a) Every member shall pay Tk. 50/- (Taka Fifty) only per month to the building fund. In case of necessity the Executive Committee may raise subscription for Building fund with the approval of the General Body and the fund will be known as the 'Building Fund'.
- b) The General Secretary of the Association shall cause a regular and Separate account to be kept for al amounts released from the

members in the respective fund and the Treasurer shall scrutinizes and put his signature on such accounts.

- c) As soon as the Building Fund fee is paid by a member the same shall be entered in the book kept for the purpose.
- d) If any member fails to pay the above Building Fund. It shall be released from him as arrears dues as specified in article 30.
- e) The Building fund shall be spent only for the purpose of repair, addition or alternation of building or any part thereof or for construction of new building or room, provided in case of necessity, the Executive Committee with the approval of the General Body may spend the same for any other purposes.
- f) The executive committee shall constitute a committee known as "Building committee shall consist 15 (Fifteen) form sitting Executive Committee and all Ex President and Ex General Secretary of the Association and sitting president. General Secretary and Treasurer of the Association shall function as Convener, Member Secretary and Treasurer respectively of the Building Committee.

Benevolent Fund 38. The Fund called "Benevolent Fund" as already introduced in 1972 shall be continued in operation for the benefit and security of the members and their families. All regular members of the Association shall contribute to the fund irrespective of whether the member is in need to such security.

Payment of which shall be forwarded office use of definite of stickers 39. a) Every member of the Association shall use the printed Vokatnama duly sealed and signed with mailing address for filing in the court at the cost of Tk. 75/- (Taka Seventy five) only out of which Tk. 50/- (Taka Fifty) will be deposited towards Benevolent Fund. Tk. 2/- (Taka two) only well be deposited in the General Fund and Tk. 10/- (Taka ten) for Bar Council Welfare Fund through sticker. Tk. 2/- (Taka two) will be deposited towards member welfare fund, Tk. 5/- (Taka five) will be deposited towards concern members personal fund and Tk. 1/- (Taka one) will be given to the Advocate Clerks Association for their welfare.

- (i) Every members shall pay Tk. 10 (Ten) on the bail bond of which Tk. 8 (Eight) will be deposited to the Benevolent fund. Every members shall use duly sealed green paper in plant, written statement written objection, Appeal, Petition of complain, all kinds of criminal/civil Miscellaneous case etc. and Revision. The Vokatname and bail bond will be sealed and signed either by the General Secretary or by the Assistant General Secretary.
- b) Every member of the Association shall use the printed hazira/petition duly sealed and signed for filing in the court at the cost of Tk. 3/- (Taka Three) net proceeds of which will be deposited towards the Benevolent Fund.
- c) Every member shall pay monthly Tk. 125/- (Taka one hundred twenty five) only towards the Benevolent Fund along with the monthly subscription.

- d) The fund may also be raised by other sources as and when decided by the General Body.
- e) 'The Benevolent Fund Committee' shall consist of 5 (Five) members to be nominated by the Executive payment of the member or the legal heir/heirs of the deceased member keeping in view the length of his/her membership of this Association and other aspects of the individual case and that the Committee shall place any matter in connection thereto before the General Body if the circumstances warrant.
- f) A separate Bank account be maintained for the Benevolent Fund;
- g) A Ledger shall maintain the particulars of contribution towards the Benevolent Fund of each member along with the description of withdrawal if any.

40. On the death of a contributor or in case of his/her being permanently disabled to practice, his/her heirs/nominees or the contributor as the case may be, shall be paid out of the fund as under.

Mode of  
payment of  
Benevolent  
fund

- a) A new rate of payment of Benevolent Fund shall be effective from 1<sup>st</sup> January 2007 at the flat rate of Tk. 7,000/- (Taka seven thousand) only per year from the date of his/her contribution of the fund up to 31<sup>st</sup> December 1989 and sum of money at the rate of 20 (Twenty) times of the contribution of each member to the fund with effect from the 1<sup>st</sup> day of January 1990 will be given to a member of the Association. But no member of the Association shall get the benefit of the Benevolent fund exceeding Tk. 8,00,000 (Taka Eight Lac) only irrespective of the length of contribution and practice in the Dhaka Bar Association.
- b) No member shall be entitled to be a contributor of the benevolent fund who is enrolled after the age of 40 (Forty) years.
  - (i) If any member surrenders his/her sanad before 20 (Twenty) years of membership he/she will get refund of the amount actually contributed only to the Benevolent fund by him/her.
  - (ii) No members shall be allowed to surrender his/her Sanad with an aim to withdraw benefit on any ground except death or elevation as judge before completion of 20 (twenty) years of membership in the Dhaka Bar Association. If any member of the Association desires to retire for disablement and wishes to surrender his/her sanad to Bar Council for sickness, certified by MBBS Doctor on that behalf after 20 years of membership he/she will get the benefit of Benevolent Fund according to the following rates.
    - (iii) If retires surrenders his/her Sanad after 20 years of continuous contribution he/she will get Taka 1,00,000/- (One lac) only and Tk. 3000/- (Three thousands) only for every subsequent year of contribution after 20<sup>th</sup> year.
    - (iv) If retires/surrenders his/her Sanad after 25 years of contribution he/she will get Taka 1,20,000/- (One Lac twenty thousand) only and Taka 5,000/- (Five thousand) only for every subsequent years of

contribution after 25<sup>th</sup> year.

- on the date  
of death
- (v) If retires/surrenders his/her Sanad after 30 years of contribution he/she will get Taka 2,00,000/- (Two lac) only and Taka 20,000/- (Twenty thousands) only for every subsequent year after 30<sup>th</sup> years.
  - (vi) If retires/surrenders his/her Sanad after 35 (thirty five) years of contribution he/she will get Taka 4,00,000/- (Four Lac) only and Taka 25,000/- (Twenty five thousand) for every subsequent year of contribution but not exceeding the highest limit of Tk. 6,00,000/- (Six Lac).
  - (vii) In case of death of any member his/her heirs will get the full amount accrued whatsoever subject to the highest limit.
  - c) With the news of death of any regular member of the Association the General Secretary shall instantly send a sum of Tk. 20,000/- (Taka Twenty thousand) only from Benevolent Fund to the family of the deceased prior to final assessment of the dues of the deceased benevolent fund. In case the amount of Benevolent Fund falls short then the remainder of paid amount shall be adjusted from the relief fund.
  - d) If any member of the Association having at least 30 years of practice as member of Dhaka Bar Association applies for withdrawal of the benefit of benevolent fund he/she may be allowed to withdraw 25% of his/her accrued benefit of the Benevolent Fund only for treatment of serious deceases and also marriage of his/her son daughter. Same percent of withdrawn shall be deducted from Benevolent Fund during final payment. A member or his/her heirs shall be entitled for remaining percent of benefit only after deducting the percent already drawn earlier.
  - e) The Association shall not usually allow withdraw from Benevolent Fund before 30 years of membership. But in exception all cases for treatment of serious deceases or marriage of any member or of his/her heirs only 10% (ten) of his/her benefit of the benevolent fund may be allowed to withdraw, subject of adjustment as in provision 40 (d) provided a member applies with an affidavit justifying his/her claim after completion of 10 years of continuous contribution as regular member of the association.
  - (i) With a view impart financial relief in the event of national calamities and to disabled member in the event of self illness there shall be a fund called relief Fund and member shall contribute a sum of Tk. 50/- (Taka fifty) only per annum towards that fund.
  - (ii) In case of necessity the members of the Association, in its General Meeting, may impose subscription to the extent of any amount with the sanction of General Body.
  - (iii) The executive Committee may grant relief to any distressed member to the extent of Tk. 10,000/- (Taka Ten Thousand) only at a time but not exceeding Tk. 15,000/- (Taka Fifteen Thousand) only to such member during his membership.

(iv) After completion of 43 years contribution a contributor is entitled to draw to his full benefit of Benevolent fund as per calculation of Article 40(a) of the Constitution. And after such withdrawal the contributor concern shall be exempted from contribution to Benevolent Fund only.

Election 41. The Election of the Association shall ordinarily be held not later than last day of February each year by ballot prescribed form in Appendix A & B the code of Conduct for election are as follows;

- a) That for the election of the Association projection meeting shall be arranged by the Election Commission of the Association for the candidates in the election.
- b) That the candidates for different posts in the election of the Association shall not go to the residence or to the house or a chamber of any member of the Association to seek vote.
- c) That the candidates for the post of President, Vice-President and General Secretary shall not print any sort of cards, leaflets or posters for the candidature excepting visiting card or his/her profession.
- d) That the election campaign for the election of the Association shall be closed within 24 hours before the commencement of the vote casting in the election.
- e) That on the election days only the candidates will be allowed to sit in the chair allotted by the Election Commission to seek vote for candidature of different posts.
- f) That the candidates for different posts in the election of the Association shall not be allowed to set up election camps on the election days within the court premises or in the streets around the court premises.
- g) That the Election Commission shall set up an election camp with the members of he Election Commission to supply the voter number or the Voters of the Association.
- h) That the candidates for different posts in the election of the Association shall not engage any worker or supporter for canvassing within the Association, court compound or in the streets around the court without Identity card after the declaration of the schedule of the election.
- i) None, other than the candidate/candidates shall supply any cards to any supporter or members of the Association for distribution to any voter for respective candidature on the election days or within 24 hours before the election days.
- j) That all sorts of entertainment by or at the instance of candidates for the purpose of election are prohibited.

That if any candidate makes any violation of the Code of Conduct the Election Commission shall have the power to take action against the offending candidate. In such case, the Election Commission shall be empowered to forfeit the candidature size the voting right or fine to the tune of Tk. 100/- (Taka one hundred) to 1000/- (Taka One



thousand) only at its discretion. That the members of the Association shall extend their helping hands to the Election Commission. So that the code of Conduct for the Election of the Association are abide by the candidates in the election of the Association.

42. At least 25 days before of the election the Executive Committee shall constitute an Election Commission headed by one Chief Election Commissioner. The Election Commission shall consist of 35 (Thirty Five) members including the Chief Election Commissioner, 4 (Four) election Commissioner and 30 (Thirty) Members of Election Commissioner amongst the members of the Association and the said Election Commissioner shall be in charge of holding election as per rule of the Constitution. Provided that the Chief Election Commissioner may co-opt up to 25 (Twenty Five) Members as per requirement to assist/help the Election Commission.
43. The Chief Election Commissioner at least 20 days before the date of election shall by notification invite nomination papers on payment nomination fees not refundable, shown against the posts in Article 45 from intending candidates for the post enumerated in Article 10 above in the form prescribed in Appendix 'A' to the constitution. 03 days time shall be given for submission of nomination papers duly proposed by one eligible voter and seconded by another eligible voter. All nomination papers shall be submitted to the Chief Election Commissioner.
44.
  - a) The scrutiny of the nomination papers shall be held on the day following the last day of filling nomination papers by the Chief Election Commissioner and a date for withdrawal of nomination paper shall be fixed on the day following day of scrutiny.
  - b) If after scrutiny, it is found that there is no other candidate/candidates than the required number/numbers of post/posts he or they shall forthwith be declared elected to the said post/posts by the election Commission.
45. A candidate must be a voter to contest for any of the following posts provided he/she shall be an advocate putting at least the following years of practice as member of this Association as noted against the post.

Post	Length of Membership	Nomination Paper
President	20 years	Tk. 20,000/-
Vice-President	15 years	Tk. 15,000/-
General Secretary	15 years	Tk. 15,000/-
Treasurer	10 years	Tk. 8,000/-
Asstt. G. Secretary	7 years	Tk. 6,000/-
Library Secretary	7 years	Tk. 6,000/-
Cultural Secretary	7 years	Tk. 6,000/-
Office Secretary	7 years	Tk. 5,000/-
Member	7 years	Tk. 3,000/-

Voter

46. The General Secretary shall prepare and publish at least 20 (twenty) days before the date of Election final voter list containing the names of the members whose membership are not ceased. The voter list may be had on

- payment of cost as would be decided by the executive committee.
47. Member who are voters shall be eligible to cast their votes by showing identity card and shall be supplied with the ballot paper in prescribed form by the Presiding Officer or the Polling Officers with reference to list of voters eligible to vote.
  48. The voters shall secretly put an 'X' mark in the ballot paper against the name of the candidate who they wish to vote, drop the ballot papers in the sealed box kept for the purpose, the voting shall continue for 2 (Two) or more consecutive days as may be fixed by the Executive Committee and the Polling Booths shall be opened at 09 A.M. of each day and be closed at 5 P.M. of each day of Election.
  49. After the expiry of 5 P.M. on the last day of voting, the ballot box shall be opened by the Chief Election Commissioner in presence of candidate or General members and after counting shall declare a candidate or candidates elected who secures/secure the highest number of votes.
  50. In case of equality of votes in any case the result will be decided by toss.
  51. The newly elected office bearers and members of the Executive Committee shall take over charge of office from the outgoing committee preferably on the first day not later than the 7<sup>th</sup> day of the tenure.
    - a) Before entering into office the newly elected office bearers shall take oath as appended in Appendix- 'C' which will be administered either by the outgoing President or in his absence by the Election Commissioner.
  52. In case of any ambiguity or doubt or difference about the meaning of any of the provisions or any of the clauses and/or rules of the constitution, the interpretation given by the President shall be final and binding.
  53. The constitution or any rule thereof may be amended or modified, if such amendment or modification is proposed by a Sub-Committee to the Executive Committee, which after due consideration shall place the same to General Body for approval in an Ordinary General meeting convened for the specific purpose after service of at least 7 days notice.
  54. All properties movable or immovable including funds and moneys and properties of all other descriptions owned and possessed or which may hereafter be acquired or be owned or be possessed by the Association, shall vest in the Executive Committee of the Association had or shall have any personal proprietary right or interest in any of the property of the Association.
  55. No Judgment or decree passed against the Association in any suit or case by any Court shall be Executed or enforceable against the personal property of any of the office bearers or members of the Executive Committee.
  56. All things deeds acts which have been done bonafide prior to this amendment shall be deemed to have been done legally and properly under the provisions of the Constitution.
  57. All amendments/modifications or amended provisions of the Constitution of the Dhaka Bar Association will be deemed to have been amended or

modified and confirmed and will be deemed to have come into force with immediate effect.

58. The Executive Committee shall be competent to induct any lawyer as its tenant or tenants in the cubicles according to modified rules and regulations namely "Rules of Allotment of Cubicles". The Tenancy conditions of the cubicles shall be determined by the Executive Committee with the power to terminate the tenancy of any allottee in summary process without any recourse of the "Premises Rent Control Ordinance".

Appendix- 'A'

Nomination paper for election of office bearers and members of the Executive Committee of the Dhaka Bar Association

1. Name of the Candidate :
2. His/her no. on the Register of Members
3. Post for which he/she is a candidate :
4. Late of membership in this Bar :
5. i) Proposed by :
- ii) No. of roll in the Register :
6. i) Second by :
- ii) No. of roll in the Register :
7. Date no which nomination paper filed :
8. The date and no. of receipt showing the payment as fee for nomination paper.  
Receipt No.                                  Date :  
Fees for nomination paper Tk.

Signature of the  
Chief Election Commissioner  
with date of filing

Signature of the  
Candidate

Appendix- 'B'

Ballot Paper  
President  
\  
(Each voter can cast  
one vote only)

Ballot Paper  
Member  
(Each voter can cast  
15 votes only)

VICE PRESIDENT  
(Each voter can cast two votes only)

GENERAL SECRETARY  
(Each voter can cast two votes only)

TREASURER  
(Each voter can cast two votes only)

ASSISTANT GENERAL SECRETARY  
(Each voter can cast two votes only)

CULTURAL SECRETARY  
(Each voter can cast two votes only)

OFFICE SECRETARY  
(Each voter can cast two votes only)

Appendix- 'C'

I.....son

of

Mr. .... do hereby solemnly swear and affirm in the name of almighty Allah/creator that I will faithfully discharge the office of ..... according to the Constitution of the Dhaka Bar Association.

That I will bear true faith and allegiance to the Association.

That I will do my best to all manner for the members according to the said Constitution without fear or favour, affection or ill will.

I..... also do solemnly swear and affirm that, I will not directly or indirectly communicate or reveal to any person any matter which shall be brought under my consideration or shall become known to me as the ..... except as may be required for the due discharge of my duty as the

Administered

Signed

Sealed and signed on this the..... day of .....200..... of the Christian Era.

Alhaj Md. Nuruzzaman Noni  
President  
Dhaka Bar Association

Abdul Baten  
General Secretary  
Dhaka Bar Association