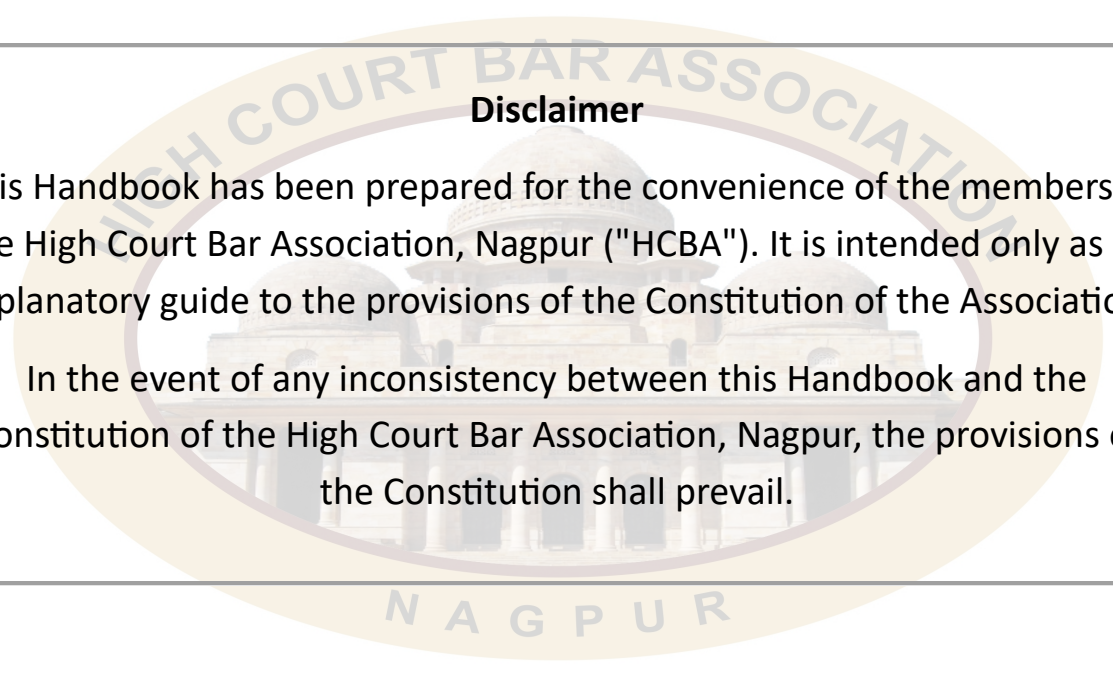


**HIGH COURT BAR ASSOCIATION,
NAGPUR
MEMBER HANDBOOK
A Practical Guide for Members**



Disclaimer

This Handbook has been prepared for the convenience of the members of the High Court Bar Association, Nagpur ("HCBA"). It is intended only as an explanatory guide to the provisions of the Constitution of the Association.

In the event of any inconsistency between this Handbook and the Constitution of the High Court Bar Association, Nagpur, the provisions of the Constitution shall prevail.

1. About the Association

The High Court Bar Association, Nagpur is an association of advocates practising before the Nagpur Bench of the Bombay High Court.

The Association exists to:

- organise advocates practising before the High Court;
- promote the study of law by maintaining a Bar Library;
- uphold professional efficiency and integrity;
- protect the professional interests of advocates; and
- undertake such other activities as are necessary for achieving these objectives.

Relevant Constitutional Provisions: Clauses 1 and 2.

2. Categories of Membership

The Constitution recognises three categories of members.

(A) Regular Members

Advocates practising in the High Court of Judicature at Nagpur.

(Clause 3(a))

(B) Visiting Members

Members of the Bar practising elsewhere who desire to use the Bar Library or other property of the Association.

(Clause 3(b))

(C) Honorary Members

Persons invited by the Association as a mark of distinction.

(Clause 3(c) and Clause 20)

3. How to Become a Member

An eligible advocate may apply for membership in the prescribed form.

The application must be accompanied by the prescribed admission fee.

Upon admission, every member agrees to abide by the Constitution, Rules, Bye-laws and lawful decisions of the Association.

Relevant Clauses: 18 and 19.

4. Admission Fee

The Constitution prescribes:

- ₹50 for advocates ordinarily practising at the Nagpur Bench.
- ₹25 for other eligible applicants.

These amounts are subject to any amendment approved by the Association from time to time. ***Please confirm the current subscription rate by contacting the office of the Association. Rs. 150/- per month for Advocates with practice of 10 years and above. Rs. 100/- per month for Advocates with practice of less than 10 years.***

Relevant Clause: 18.

5. Monthly Subscription

Every member is required to pay the monthly subscription in advance during the first week of every month.

Timely payment of subscription enables the Association to maintain its facilities and carry out its activities efficiently.

Relevant Clause: 19 and Bye-law Regarding Subscription.

6. Rights and Privileges of Members

Subject to the Constitution, members may enjoy the following privileges:

- Use of the Association premises.
- Use of the Bar Library.
- Participation in meetings of the Association.
- Voting rights (subject to eligibility under the Constitution).
- Eligibility to contest elections subject to constitutional qualifications.
- Participation in professional, educational and welfare activities organised by the Association.
- Such other facilities as may be provided by the Association from time to time.

Relevant Clauses: 7, 7A, 7B, 23, 25 and Library Bye-laws.

7. Election Rights

A member becomes entitled to vote only after completing one year of continuous membership immediately preceding the declaration of the election programme.

Relevant Clause: 7A.

8. Eligibility to Contest Elections

The Constitution prescribes minimum standing at the Bar for different offices.

President / Vice-President

Minimum 15 years' standing at the Bar.

Secretary / Treasurer

Minimum 10 years' standing at the Bar.

Joint Secretary / Librarian

Minimum 5 years' standing at the Bar.

Executive Council Member

Minimum 3 years' standing at the Bar.

In addition, every candidate must have been a continuous member of the Association for at least three years immediately preceding the declaration of the election programme.

Relevant Clauses: 7B(i) to 7B(v).

9. Executive Council

The Executive Council consists of:

- President
- Two Vice-Presidents
- Treasurer
- Secretary
- Joint Secretary
- Librarian
- Nine elected members

The Executive Council manages the affairs of the Association and exercises the powers conferred by the Constitution.

Relevant Clauses: 6, 7 and 17.

10. Library Facilities

The Association maintains a Bar Library for the benefit of members.

The Librarian is responsible for its management.

Members should observe the Library Bye-laws regarding issue, return and preservation of books.

Books are broadly classified into:

- Reference books which cannot be taken outside.
- Books which may be issued as permitted.

Books borrowed after Court hours must ordinarily be returned by 11.00 a.m. on the next working day unless written permission has been granted.

Members are responsible for loss or damage to borrowed books.

Relevant Clauses: 16 and Library Bye-laws.

11. Payment of Subscription

Regular payment of subscription is the responsibility of every member.

Failure to pay subscription has serious consequences under the Constitution.

Members are therefore requested to ensure that their subscriptions remain up to date.

12. Consequences of Arrears

Arrears exceeding three months

The Secretary issues a notice requiring payment within the prescribed period.

If payment is not made, the Executive Council may initiate recovery proceedings.

The member also becomes ineligible to use:

- Association rooms;
- Bar Library;
- other Association property.

Relevant Clauses: 22 and 23.

Arrears exceeding six months

A member remaining in arrears for six months is deemed to have ceased to be a member.

The Executive Council may strike off the member's name from the register of members.

Relevant Clause: 24.

13. Restoration of Membership

A member whose membership has ceased due to arrears may seek readmission.

For restoration, the member must:

- pay all outstanding subscription;
- pay all dues payable up to the date of the Executive Council's order striking off the membership; and
- apply afresh for membership.

Relevant Clause: 24A.

14. Resignation from Membership

A member may resign from the Association.

However, resignation does not extinguish liability to pay subscription due up to the end of the month in which the resignation takes effect.

Relevant Clause: 21.

15. Loss of Membership Rights

A person who:

- remains in arrears as provided by the Constitution;
- has ceased to be a member; or
- has resigned,

cannot:

- use Association premises;
- use the Library;
- use Association property;
- attend meetings of the Association;
- attend meetings of committees; or
- vote as a member.

Relevant Clauses: 23, 24 and 25.

16. Meetings of the Association

The Association ordinarily holds its Annual General Meeting in the month of March.

General meetings are convened in accordance with the Constitution.

Notices are ordinarily displayed on the Association Notice Board.

Questions are generally decided by majority through a show of hands unless voting by ballot or poll is directed.

Relevant Clauses: 26 to 37.

17. Discipline

The Association is empowered to take disciplinary action against members guilty of improper, unprofessional or dishonourable conduct after following the procedure prescribed in the Constitution.

The Association may also direct enquiries whenever necessary.

Relevant Clauses: 17(h), 38 and 39.

18. Need Assistance?

Members may contact the Office of the High Court Bar Association, Nagpur for assistance regarding:

- Membership
 - Subscription
 - Restoration of Membership
 - Library
 - Elections
 - Identity Cards
 - Certificates
 - Any other Association-related matter.
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19. Important Reminder

Regular payment of subscription is not merely a financial obligation. It enables the Association to maintain its infrastructure, improve member services, strengthen the Bar and preserve the traditions of the High Court Bar Association, Nagpur.

Members are requested to update their subscriptions promptly and actively participate in the activities of the Association.

High Court Bar Association, Nagpur

"Unity, Professional Excellence and Service to the Institution."

