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# BACKGROUND/ RATIONALE BEHIND THE AMENDMENT

**W**ith the change in scenario, there is a need to change the rules that governs us. There are issues viz. Bar election, Chamber allocation, medical facilities et al -which requires to be dealt exclusively and elaborately.

In specific, the responsibility of the Bar Association is not only to conduct an election for its management; but also to create an *environ* -where election is conducted in a free and fair manner with a same level playing field even for a candidate who cannot afford to spend much on elections. This necessitates the change in rules and postulates strictest compliance. Secondly, only actively practicing advocates should be entitled to contest the elections and become Office Bearers of the Association. Thirdly, there should be a minimum practice/ seniority tenure for those contesting the Bar elections. Fourthly, there is a need for providing ex-officio members in the Bar Association as they are there in every other Bar Association in all Courts. Fifthly, the tenure of the members of the executive committee should be fixed; so that there is active participation in the elections from all members of the bar. Lastly, there should be a clause of debarring and/or cancelling the candidature in cases of deviance or non-compliance.

In addition to the issues of election, the rules regarding allotment of Chambers need to be channelised to prevent any irregularity in such allocation. There is an urgent need to devise a mechanism to address the complaints and grievances of the Members. Importantly, there is an urgent need to provide medical help/ aid in case of any mis-happening with the member of the bar. Last but not least, there is an urgent need to prevent illegal activities like touting in the Court premises and bring in more provisions for the welfare of the members of the bar.

So, the present Executive Committee, NDBA in consultation with the senior members of the Bar, wishes to make some necessary changes in the Constitution and rules of the Memorandum of Association.

# I. DEFINITION

1. "Election" means the election for various post in the New Delhi Bar Association.
2. "Bar Association" means the New Delhi Bar Association.

# II. MEMBERSHIP DUES

1. The members of the association shall have to pay their monthly membership subscription fee regularly from time to time.
2. No member shall be in arrears of the subscription fee for more than 24 (twenty four) months.
3. In case, the member of the association fails to pay the subscription fee for a period of exceeding more than 24 (twenty four) months than the membership of the member of the association shall stand automatically suspended.
4. In case of payment of subscription fee within 12 (twelve) months of default, the membership of that member shall be restored on the payment of penalty of Rs.1000/- along with all the outstanding arrears.
5. The payment of subscription fee by a member shall in no case be allowed to be accepted by the executive committee including the President and Secretary later than 2 (two) year gap period on any ground and the membership of that member shall stand cancelled and shall not be restored.

Provided that a member whose membership has been cancelled on the ground of non-payment of subscription fee, shall be entitled for applying for fresh membership and his/her “Seniority” for the purposes of contesting election and allotment of chambers/seats shall be counted/ calculated from the date of his/her new membership.

1. Membership subscription should be paid before 31st January of every year.
2. Member’s subscription will be accepted by individual/ personal cheques only.

# III. ELECTION

1. Election of the office bearers of the Executive Committee members shall be held on completion of the ordinary term of the committee by secret ballot/Electronic Voting Machines (EVMs).
2. The elections of the Executive Committee shall be held after every two years (i.e. from the previous election) between the period of 15th March to 15th April. The entire process of the election shall be completed between the above mentioned period.

Provided that if the election is not called within the prescribed time, 2/3rd members having chambers can call a meeting and announce for election on a date and the process of election starts from that day.

1. The Election shall not be delayed beyond the scheduled time. However, if the Executive Committee is unable to hold election in time, due to unavoidable circumstance, then the Executive Committee shall have to take prior approval of the proposed postponement from the general Body meeting convened for that purpose. The election commission shall hold the election within such period as may be approved by the General Body Meeting.
2. No office bearer shall be eligible to hold the same or any other office consecutively for more than one term.
3. Election of the Executive Committee shall be held under the supervision of the Election Commission to be appointed by the Executive Committee and approved by the General Body Meeting (GBM).
4. The existing Executive Committee shall prepare the electoral rolls of its eligible members for the purpose of elections and handover the same to the Election Commission, on the basis of which the Election Commission shall conduct the election.

# IV. VOTING RIGHTS

1. No Member shall be eligible to cast his vote at the election unless-

 a. he is in possession of his identity card at the time of casting vote;

 b. he has paid his subscription fees by or before the 15th day of February of the calendar year in which the elections are being held and is not in arrears on any account;

2. The name of the eligible voter will be published in the voters list and displayed at the Notice Board of the Office of the Bar Association on the Last day of February of the calendar year in which the elections are being held.

3. A Member who is in arrears of is subscription or any dues to the Bar Association will not be eligible to propose or second the candidature of any Member to any of the post and such Members shall not be entitled to contest the election.

# V. FEE FOR CONTESTING THE ELECTIONS

1. The members contesting the elections shall pay the following sum of fees mentioned against the post for which he/she is seeking election, by means of Cheque/ DD/ Pay Order along-with his/her nomination form. The fees in tabular format is as follows:

|  |  |
| --- | --- |
| PRESIDENT | Rs.15,000/-  |
| VICE PRESIDENT | Rs.10,000/- |
| SECRETARY | Rs.10,000/- |
| ADDITIONAL SECRETARY | Rs.5,000/- |
| TREASURAR | Rs.5,000/- |
| MEMBER LIBRARY | Rs.5,000/- |
| SENIOR MEMBER EXECUTIVE ABOVE 25 YEARS | Rs.5,000/- |
| SENIOR MEMBER EXECUTIVE ABOVE 20 YEARS | Rs.5,000/- |
| MEMBER EXECUTIVE | Rs.3,000/- |
| LADY MEMBER EXECUTIVE | Rs.3,000/- |

1. Members whose nominations are rejected on scrutiny and/or those who withdrew their nominations by withdrawal shall be entitled to a refund of the amount paid.

# VI. ELIGIBILITY OF MEMBERS TO CONTEST THE ELECTIONS

1. No Member of the Association shall be eligible to contest for any post of the Association unless he is ordinarily/primarily practicing in Patiala House Court and:
2. The members should have the minimum following years of standing at the Bar i.e.

|  |  |
| --- | --- |
| PRESIDENT | 15 years  |
| VICE PRESIDENT | 10 years |
| SECRETARY | 10 years |
| ADDITIONAL SECRETARY | 5 years |
| TREASURAR | 5 years |
| MEMBER LIBRARY | 5 years |
| SENIOR MEMBER EXECUTIVE ABOVE 25 YEARS | 25 years  |
| SENIOR MEMBER EXECUTIVE ABOVE 20 YEARS | 20 years |
| MEMBER EXECUTIVE | 3 years |
| LADY MEMBER EXECUTIVE | 3 years |

1. The Seniority shall be from the date of enrolment as a Member with the New Delhi Bar Association (NDBA).

# VII. NAME OF THE MEMBER IN THE BAR ASSOCIATION

The name of the member as mentioned in his Bar Council Registration Certificate shall be the one which will be entered in the list of the members of the bar and no request for change of his/her name shall be entertained unless there is a written application to that effect along with a copy of Gazette Notification with the office of the Bar.

# VIII. CANVASSING

1. No member contesting/ desiring to contest the election shall:
2. affix or permitted to affix his/ her banner(s) or poster(s) or hoarding(s) or any kind of publicity material inside or outside the Patiala House Court Premises;

*Explanation:* Affixing any posters anywhere within the NCR Region is prohibited.

1. distribute or make to distribute any gifts to any member of the association or their families and friends;
2. arrange parties or providing breakfast/ lunch/ dinner etc to any members of the associations within or outside the premises of the Patiala House Court anywhere in the NCR Region;
3. perform bhandara or functions or social gathering or any other similar function within the court premises in the year he wishes to contest the elections;
4. distribute Alcohol to any members of the association or their families and friends;
5. seek vote or support in the elections by way of sending SMS except 3 SMS (in total) which are permitted to be sent for the entire election process; harender
6. seek vote or support by making telephone calls;
7. canvass seeking vote or support in any form on the date of polling;
8. hire or procure -whether on payment or otherwise any vehicle himself or through his agent/ supporter for the purpose of free conveyance of his voter or supporter for the purpose of election making a trip to and from the Patiala House Court Premises on the date of Election;
9. Canvassing by a non-advocate (including but not limited to any law intern / relatives / neighbours/ supporters of the member who is contesting/ wishes to contest) is prohibited.
10. The members desirous of contesting the elections shall not send any SMS of greetings to the other members of the association in the year the member wishes to contest the elections. For the purposes of calculating the number of SMS, the SMS send by any supporter of the candidate seeking vote in support of the candidate shall also be included in the total number of SMS sent which shall in no manner exceed three times.
11. The candidates are permitted to distribute pamphlets/ document not exceeding 4 pages (2 leaflets) stating their vision/ grounds on which the member wishes to contest the election. The candidate can personally handover/ distribute the pamphlet or can also send the same by Book Post to the members of the association.
12. The candidates are permitted to distribute small visiting card size cards detailing their name, enrollment number and the post for which they are contesting.
13. There shall be a prohibition of any form of canvassing seeking vote during the period of 24 hours starting from the start of polling in the bar association elections.
14. Any member who is found to be in breach of the above rules shall be barred from contesting the elections of the association for a period of six years and his nomination would also cancelled for that particular election.

# IX. ELECTION COMMISSION

1. The Election Commission shall comprise of one Returning Officer and two Additional Returning Officers.
2. The Commission shall be appointed by the Executive Committee and duly approved by the General Body Meeting (GBM) for conducting the election by raising of hands.
3. The Returning Officer should have not less than 20 years of standing at bar and the Additional Returning Officers shall have not less than 15 years of standing in Bar.
4. The propose Members willing to be appointed as Returning Officer and Additional Returning Officers shall give a declaration that he/ she shall not contest any election of the Association for a period of one term and that he/ she is not associated in any manner with the election of any candidate.

# X. DUTIES OF THE ELECTION COMMISSION

1. The Election Commission can appoint members to regulate and conduct the elections within a stipulated period in free, fair and impartial manner.
2. The Election Commission shall make rules and regulations for conducting the election and will publish such rules/ regulations at the time of announcing the elections.
3. The Election Commission shall prepare the rolls, declare the election schedule and make arrangements for election.
4. The Election Commission shall supervise the strict observance and compliance of the election rules.
5. The Executive Committee shall make its staff available to the Election commission for making arrangements of the election and performing the election duty. The Election Commission shall also be provided with the funds required for the election arrangement.

# XI. PROVISIONAL DECLARATION OF ELECTION RESULTS

1. In case any complaint, against the contesting member of the election, is received regarding violation of any of the rules of the constitution/ memorandum by him/ her on the date of election, the results of that particular post shall be kept provisional, pending inquiry by the Returning Officer.
2. The Returning Officer (including Additional Returning Officer) shall however be bound to decide the complaint and pass a reasoned speaking order within three days of the receipt of such complaint.

# XII. CESSATION OF MEMBERSHIP

The membership of a Member of the Association shall liable to be terminated on the following grounds:-

1. death of the member
2. resignation or surrender of the membership
3. removal of the name form the Roll of Delhi Bar Council.
4. defaults in making payment of monthly subscription or any other dues/charges payable to the association for more than 24 months, his membership shall stand suspended/cancelled automatically
5. if found guilty of violating the rules and regulations of the Association
6. if found indulged in any anti-social or criminal activities.

# XIII. TERM OF THE OFFICE OF THE EXECUTIVE COMMITTEE

* 1. The term of the Executive Committee of the Bar Association shall be of two (2) years from the date of election.
	2. The election of the association shall mandatorily be held between 15th March to 15th April after every two years.
	3. No office bearer shall be eligible to hold the same or any other office consecutively for more than one term.

# XIV. DUTIES, POWERS AND FUNCTIONS OF THE EXECUTIVE COMMITTEE

1. The Executive Committee shall hold, control and administer the property and funds of the Association and use the same for achieving the aims and objects of the Association.
2. The Executive Committee from time to time may appoint committee(s)/ sub-committee(s) to regulate its function in a manner as it deems necessary for its effective functioning and for the welfare of the association and its members.
3. The President and Honorary Secretary shall have all over control over all the aforesaid committee(s)/ sub-committee(s) of the Bar Association and shall as a matter of right preside over all or any of the meetings of the aforesaid committee(s)/ sub-committee(s).
4. The Executive Committee shall manage and regulate the finances, accounts, investments, property and all administrative affairs of the Association and for that purpose to appoint agents, as it may deem fit.
5. The Executive Committee is entitled to accept grants, donations or make loans and transfer property to the Association for the purpose of proper functioning of the affairs of the Association in the name of the association. It may enter into, vary, carry out, confirm and cancel contracts and give license on behalf of the association.
6. The President and the Honorary Secretary shall have power to sign the vakalatnama and appear in the court on behalf of the Bar Association. They are also empowered to give statements in any court on behalf of the Bar for the welfare of the Bar after consultation with the Executive Committee.
7. The Executive Committee can take disciplinary action against the defaulting members including the cancellation of the membership, imposing of penalty and the cancellation of Chambers and removal of seats and taking possession of the Chambers and seats.
8. The Executive Committee can appoint and remove clerical staff, peons, and other employee of the Association. No employee shall be employed by any individual member of the Executive Committee.
9. The Executive Committee make rules and service conditions of the employees and define their duties.
10. The Executive Committee may take disciplinary actions against the employees and can remove them from their respective jobs. The dismissed employees shall not be reinstated/re-employed by any executive Committee at any point of time.
11. The Executive Committee may fix/ revise the salaries and allowances and grant advance of its employees and may make rules regulating them.

1. The Executive Committee shall control and manage the affairs of the library.
2. The Executive Committee may remove any structure or seats which in the opinion of Executive Committee are likely to cause hindrance in the passage, road and common places. To ensure that no member/s shall encroach upon the common space to carry out any professional activity. However, a common Oath Commissioner Pool shall be provided by the Bar Association and in case of any such encroachment on the Common space, the Association may issue show cause notice to such members and take appropriate action in accordance with the present constitution and such member shall be liable to be expelled from the primary membership of the Bar Association and shall be re-inducted upon payment of fine to be quantified by the Executive Committee with an undertaking not to indulge any act of omission and commission which may damage the reputation of the profession.
3. The Executive Committee shall exercise all the power of the association not otherwise provided for by this constitution in order to fulfill the aims of the association.
4. The Executive Committee shall ensure that there shall be no public soliciting from any of the Gates of the court Complex and the respective members are expected to entertain their clients in their respective chambers and the members found doing public soliciting while standing at gates shall be given a show cause notice to stop such activates and in case a member is found indulged in the same practice, shall be liable to be expelled from the primary membership of the Association.
5. The executive Committee shall have no right to waive off any of the clause. In case any Executive Committee liberalize/waive off any of the rules given in the constitution for the purpose of election, without getting the constitution amended from General body meeting.
6. In case of any difference of opinion among the members of the executive committee, the majority decision shall prevail. In case of emergent situations, the president, Vice-President, Secretary and Additional Secretary will take decisions by majority, subject to ratification of the same by the committee later on.
7. No office bearer/member of the executive committee, alone will represent the committee before any authority or forum. However, President and Secretary may represent the executive committee before any such authority or forum if accompanied by Vice-President or Addl. Secretary
8. No office bearer will make any statement over any important issue, unless the same has been dully approved by the committee.

# XV. CLERKS

1. All Members of the Association shall get the names and addresses of clerks employed by them entered in the Register to be kept in the office of the Bar Association;
2. No member shall employ or continue to employ any person as a clerk who has been convicted of any offence involving moral turpitude or has been declared a tout;
3. No member shall employ either temporarily or permanently any clerk who is already the clerk of another member without his consent in writing.

# XVI. TOUTS

1. On receipt of a written complaint from any person including any member that any person is acting as a tout, the Secretary shall call a meeting of the disciplinary committee which will hold an inquiry. If on consideration of its own findings or of the report of the sub-committee, the committee is satisfied that there is a *prima facie* case against the person, it shall direct that the matter be place in a General Meeting.

Provided the committee shall give him a reasonable opportunity of being heard.

1. The Association may pass a resolution by a majority of the members present at such meeting declaring the person complained against to be a ‘Tout’ as defined in Section 3 of the Legal Practitioners Act (XVIII of 1879) and make there upon a written complaint to the appropriate authority for suitable action under the provisions of Section 36 of the said Act;
2. A copy of the said Resolution shall be forwarded to the District Judge of the Patiala House Court and any other authority which may be considered proper;
3. Any member of the association who is found to have employed a person so declared to be tout shall also be liable for disciplinary action, if it is found during the course of the said enquiry or if any complaint is made against him.

# XVII. EX-OFFICIO MEMBERS:

1. Besides the elected Executive Committee there shall be two Ex-Officio members who shall be the office bearers of the Bar Association.

1. That candidates elected on the Post of President and Hony. Secretary in the Last Elections of the NDBA shall be the Ex Officio members in the Executive Committee. However the Ex-Officio members shall not have voting right in the Executive Committee and shall also not interfere in the day to day working affairs of the Bar.

# XVIII. DISCIPLINARY COMMITTEE

1. There shall be a Disciplinary Committee which shall be appointed by the elected members of the Executive Committee within the 15 days of the announcement of the election result of the Bar Association.
2. The Committee shall include the President, Secretary and Ex-officio members of the Bar Association and besides them there shall also be 5 members out of which 3 shall be male members and 2 shall be lady members or in case 2 lady members do not come forward to be part of the disciplinary committee then there shall be at least one lady member in the committee and a male member shall be appointed in the alternative.
3. The 5 members of the disciplinary Committee besides the elected members and ex-officio members shall be co-opted by the Executive Committee from among the members of the Bar Association.
4. The co-opted members of the Disciplinary Committee will have following years standing:
5. Two Members with 25 years of standing in the Bar.
6. One Member with 20 years standing in the Bar.
7. One Member with 15 years standing in the Bar.
8. One Member with 10 years standing in the Bar.

Provided that the Seniority shall be from the date of enrolment as Member of New Delhi Bar Association.

# XIX. MISCONDUCT BY THE MEMBERS AND DISCIPLINARY ACTION

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

1. Willful disobedience or non-compliance of the decisions taken by the Executive Committee, General Body Meeting or decision of any other sub-committee constituted under this constitution or any other official so appointed by the Executive Committee as per the Constitution;
2. Threat to the members of the Executive to coerce them to do or not to do any act in discharge of their duties and functions under the constitution;
3. Misuse of the Chambers/seats i.e. to use or allow it to be used for any purpose other than the professional work;
4. Threats and/or assault to the other advocates;
5. Abusing the client or member of the Association;
6. Doing any acts/ deeds, which are in violation with the Advocates Act and the rules and regulations of the Associations or guilty of committing of professional misconduct as defined under Advocate Act, 1961;
7. Any member found helping touts or soliciting work through touts;

1. Attending courts or court proceedings after consuming liquor;
2. Acting against the interest of the Executive Committee/General Body;
3. Assaulting/threatening the employees of the association or obstructing them in discharge of their duties, direction/instruction of the Executing Committee;
4. Disrupting the unity of the Association by fractional activity of forming any parallel panel of the Bar Association or misusing the name and letter pad of the Bar Association;

1. Creating nuisance or disturbance or putting any hindrance in smooth conduct of the affairs of the executive or General Body Meeting.
2. Disrupting election of the Bar or using unfair means for any candidate in the election;
3. Tearing of the disfiguring of library books and damage and/or removal of the property of the Bar Association;
4. Distributing/passing over or allowing the stickers of the bar Association meant for cars/scooters for usage of non-members/non-advocates;
5. Using the service of the employees of the Association during office hours for personal work;
6. Forming any society/association on the liens and in the name of caste, creed or religion;
7. Doing any act which disintegrates the unity of the bar or cause threats to the secular image of the association;
8. Issuing/pasting posters, hand bills and defacing the chamber block against the decision of the Executive committee/election commission;
9. Engaging with any person declared as touts in the employment as clerks or sheltering any person/member against whom the association has lodged a civil/criminal case or has taken any disciplinary action for misconduct;

1. Allowing any person to sell any item or to take benefits from the property vests with the Bar Association;
2. Giving cash or any other gift item to the member by the other member for clearing his subscription of arrears (except in blood relationship).

# XX. DISCIPLINARY ACTION

1) The Disciplinary Committee shall have power, either upon complaint or on its own motion to enquire into the conduct of any member or of any agent, servant or other employee of any member, so far as such conduct relates to any breach or supposed breach of the rules or to the professional misconduct of any member and for the purposes of any such inquiry, may do all acts and things which may be necessary or expedient to enable the committee to render such enquiry effective.

Provided that before the Committee shall take any action upon the result of such enquiry, the committee shall inform the member concerned or whose agent, servant or other employee is concerned, of the nature of charge and shall afford him a reasonable opportunity of tendering to the Committee his explanation in writing.

2) The person against whom the complaint is made may submit to the Committee any rebutting evidence which he may desire.

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

1. Suspension for the term which may be extended to six month. The suspension period will be considered as a break for the purpose of membership of Bar Association;
2. Removal of the member from the rolls of the Membership of the Association and withdrawing all facilities enjoyed by the member at the time of misconduct;

1. Cancellation of Chamber/removal of seats allotted to the members including removal of the name board of the erring member;

1. Imposing monetary penalty of an amount not exceeding Rs. 5000/-. However the minimum penalty would not be less than Rs. 1000/- which has to be deposited with the Bar Association;
2. The Secretary of the Association shall within 15 days of taking action, report the names of the offending member(s) to the Bar Council of Delhi and other Bar Associations.

# XXI. PRIVILEGED COMMUNICATIONS

 All communications made to the Committee or to the House and enquires held under the preceding rules, shall be privileged one.

# XXII. FINANCIAL ASSISTANCE TO THE MEMBERS OF THE BAR

The Member/Family Member of the member shall be entitled for financial assistance/aid from the funds of the bar association:

1. In case of death of member, a total sum of Rs.1,00,000/- (Rupees One lakh) shall be given to the family member(s) of the deceased member.

2. In case of grievous injury to the member, a total sum up to Rs.25,000/- will be given to the grievously injured member.

# XXIII. CHAMBER ALLOTMENT RULES

1. That the chambers in the Patiala House Court Premises have been allotted to its members on license basis as the Bar Association is itself the licensee of the chambers.
2. Only advocates fulfilling the following conditions shall be eligible for consideration for allotment of chambers:

i. The advocate must be enrolled with the Bar Council of Delhi and must be a member of the New Delhi Bar Association; and

ii. The advocate must have been primarily practicing at the Patiala House Courts Complex; and

iii. The advocate should not have acquired, built or have been allotted a lawyers’ chamber in any court complex in Delhi.

iv. The advocate shall not be considered for the allotment of chamber if he/she once been allotted a lawyers chamber in any court in Delhi notwithstanding that he/she has surrendered the so allotted chamber.

1. Each applicant shall also furnish a declaration that she or he has not applied for any, or has not been allotted any chamber in any other Court complex. Any false declaration shall entail cancellation of chamber allotment, or removal of the name from list of eligible applicants.
2. The members those who do not posses chambers/seats (Built/acquired/allotted) at any of the Courts at any point of time.
3. The members those who will remain in Patiala House Courts and are not willing to go to other Courts.
4. The members who have not submitted declaration forms in other Bar Association for voting.
5. The allotment will be done according to the seniority of membership of NDBA, Practicing & Sitting
6. There is no chamber/seat in the spouse’s name in any of the courts in Delhi.
7. **Subject to other conditions as specified by the Executive Committee of NDBA.**

**Form of Declaration:**

I.... (State name, and full description, i.e. parentage, age, particulars of Bar Council enrolment, and membership of the Bar Association of the Court complex where chamber allotment is sought) do hereby solemnly declare and affirm that I am not allottee of any chamber in any Court complex other than the one in which I hereby seek; I also affirm and declare that I shall not apply for allotment of any chamber in any Court complex.”

1. Allotment of chambers would be on single occupancy basis.
2. An advocate shall not be eligible for allotment if his/her spouse has been allotted a chamber at any of the court complexes in Delhi**.**
3. Each allottee shall pay the licence fee as may be fixed from time to time.

*Explanation*: The licence fee shall be payable also for the period during Court vacations and holidays.

1. Each allottee shall also be liable to pay electricity charges as per actual consumption. The payment of electricity charges will be made directly to the electricity supplier.
2. Maintenance charges for common services and other charges shall also be paid by the allottee at the rates worked out from time to time.
3. The allottee shall have no right to claim suspension of licence fee in whole or in part for any reason whatsoever.
4. The allottee shall use the chamber only as a lawyers’ office and for no other purpose whatsoever.
5. The allottee shall not transfer, assign or part with the possession of the whole or any part of the chamber in favour of any other person.
6. The allottee shall not make any structural additions or alterations; or change the doors, windows or the outward appearance of the chamber without the consent in writing of the District Judge.
7. The allottee shall be responsible for the proper up-keep and maintenance of the chamber and in accordance with the applicable regulations, rules or bye-laws and such directions as may be issued by the Association. All surrounding areas/passages shall be kept free from any obstructions.
8. The allottee shall not cause any damage to the chamber or to the common areas and facilities, including water coolers and other fittings and fixtures.
9. An allottee may use his/her chamber between 7.30 AM and 9.30 PM only.
10. The allottee shall deposit with the Bar Association, Rs. \_\_\_\_\_\_\_ as month’s licence fee as security deposit for the due fulfilment and performance by him of the terms and conditions herein contained. In the event of an allottee committing any breach of the terms and conditions herein contained the Executive Committee may, without prejudice to other rights and remedies, forfeit the security or any part thereof. In such an event, the allottee shall pay such additional sum immediately as may be called upon by the Executive Committee so that the security deposit shall at all times, during the continuance of the allotment, be equivalent to two month’s licence fee. On the expiration or earlier determination of the licence, Executive Committee shall return the security deposit or part thereof which has been forfeited as aforesaid to him without interest.
11. The allottee shall not cause nor permit others present in his chamber to cause any nuisance or annoyance to any other allottee.
12. If the allottee at any time fails or neglects to perform and observe any of the terms and conditions of the Rules herein contained, the Executive Committe may, without prejudice to other rights and remedies, after giving fifteen days notice in writing to such allottee, determine the licence and the allottee shall, upon such determination, hand over vacant possession of the chamber without any right to compensation whatsoever.
13. The allotment shall in no event create, nor shall be construed so as to create, confer or grant any lease or sub-lease, tenancy or sub-tenancy or any right, title or interest in respect of the chamber in favour of the allottee.
14. The allotment shall be effective from the date on which the chamber is made available for occupation pursuant to an order of allotment. If the chamber is not occupied within a month of the availability, the allotment shall be deemed to be cancelled.
15. The allotment shall terminate;
16. On its cancellation by Disciplinary Committee; or
17. On its surrender by the allottee concerned; or
18. On the allottee’s ceasing to be a member of the Bar Association; or
19. On the allottee’s name being removed from the roll of the Bar Council of Delhi; or
20. On death of the allottee.

Provided that in case of death of an allottee, the Allotment Committee may in its discretion allot the chamber to his father/mother/son/daughter/spouse in his/her place, if applicant is otherwise found eligible as per above rules.

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