

CONSTITUTION OF ALL ASSAM JUDGES ASSOCIATION

1. The association may be called the All Assam Judges Association.
2. The registered office of the association shall be at the Institute of Judicial Officers cum Guest House, Chandmari, Guwahati – 781003.

3. Definitions:

- (i) Member means an officer of Assam Judicial Service subject to the payment of regular membership fee.
- (ii) 'Membership fee' means such amount as may be prescribed from time to time by the General Assembly.
- (iii) 'Annual contribution' means such amount, as may be prescribed from time to time by the General Assembly, which the members will have to contribute towards the fund of the Association.
- (iv) 'Family' means the husband, wife, children and parents of the member.
- (v) 'Executive Committee' means the office bearers of the All Assam Judges Association.
- (vi) District Unit shall consist of all officers posted in the district and shall include members posted in the Subdivision.
- (vii) High Court means the Hon'ble Gauhati High Court.

4. Objectives of the Association: The All Assam Judges Association is a nonpolitical and professional organization and it has been constituted with the following objectives:

- (i) Contribute towards the improvement of law, the legal system and the administration of justice.
- (ii) Enhancement of judicial professionalism amongst the members by organizing training and sensitization programmes.
- (iii) Facilitate knowledge sharing amongst the members by organizing various programs, developing online blogs and publishing journals.
- (iv) Improving service conditions of judicial officers and contribute towards the all-around development and welfare of the judicial officers and their family members.

5. General assembly and its Constitution: The Association shall consists of the following:

- (a) The General Assembly comprising of all the members of the Association.
- (b) The Executive Committee shall consist of fifteen (15) members, as outlined in Clause 10 of this Constitution. The Committee shall be chaired by the President. In the absence of the President, the senior-most Vice President shall preside over the

meetings. If no Vice President is available, the General Secretary shall preside over the meetings.

- (c) District Committee shall consists of all members posted in the district and shall include those posted on deputation.

6. Term of the executive committee and procedure for election:

The term of the Executive Committee shall be 2 (Two) years. The following procedure shall be followed for electing the Executive Committee:

- (i) The election procedure for election of the next executive committee shall be initiated by the General Secretary with the approval of the President at least two months before the expiry of the term of the incumbent executive committee.
- (ii) The President of the Association shall appoint one Grade I officer as the Returning Officer, who shall receive nomination papers and scrutinize the eligibility of the members for the election.
- (iii) Members willing to contest shall file their nominations at least 20 days ahead of the date fixed for election.
- (iv) The names of the eligible members shall be published at least 15 days ahead of the date fixed for election.
- (v) A link shall be circulated amongst the district units at least 5 days ahead of the date fixed for election. The link shall be

activated only on the date of election. Members may access the link using their user ID and password.

- (vi) The results of the election shall be declared by the President on the same day the election is conducted.
- (vii) The election shall be conducted on the day of the General Body Meeting.

7. Composition of District Committee:

The composition of the office bearers for the District Unit shall be as follows:

- **Chairperson:** The District Judge shall serve as the Chairperson of the District Unit.
- **Vice President:** The Vice President shall be the senior-most judicial officer in the district, next in rank to the District Judge.
- **Unit Secretary:** The Secretary of the District Legal Services Authority (DLSA) shall function as the Unit Secretary.
- **Assistant Secretary:** The Civil Judge (Junior Division) No. 1 shall serve as the Assistant Secretary of the Unit.

8. Members of the Association:

- (i) Every newly enrolled Judicial Officer, on payment of the Membership Fees, shall become a member of the Association.

- (ii) Every existing Judicial Officer in Assam shall be a member of the General Assembly subject to the payment of annual subscription fee.
- (iii) Every member of the Judicial Service has to pay an annual contribution to the Association. If the contribution is not paid, the membership of such officer can be suspended and after notice, if he/she fails to pay, the Executive Committee may remove such officer from the rolls. The annual contribution shall be such as may be determined by the General Assembly.
- (iv) The membership fee shall be such as may be determined by the General Assembly.
- (v) All members shall abide by the decision of the General Assembly and/or the Executive Committee as the case may be.

9. Conference of the Association: There shall be a biennial Conference of the Association at such place and time as may be notified by the Executive Committee. In case of emergent situations, the General Assembly can be convened at any other time by the Executive Body or by majority of District Units at such time and place as it deems fit and proper.

10. Executive Committee

The Executive Committee shall be constituted as follows:

(i) Office Bearers:

The Office Bearers of the Executive Committee shall include:

- (a) *The President*
- (b) *Two Vice Presidents*
- (c) *The General Secretary*
- (d) *Two Joint Secretaries*
- (e) *The Treasurer*
- (f) *Three Deputy Secretaries*

(ii) Executive Members:

In addition to the Office Bearers, the Executive Committee shall comprise:

- (a) Five (05) Executive Members elected by the General Assembly;
and
- (b) All District Judges, who shall serve as ex officio Executive Members of the Association.

11. Qualifications of Office Bearers:

- (i) ***President.*** A Selection Grade officer of the service or a Grade I officer with minimum 5 years of service in Grade I.
- (ii) ***Vice President.*** A Grade I officer of the service.
- (iii) ***General Secretary.*** A Grade II officer

- (iv) **Treasurer.** A Grade II officer.
- (v) **Joint Secretary.** A Grade II officer of the service.
- (vi) **Deputy Secretary.** A Grade III officer of the service.

Provided that while a member shall be eligible for re-election to any post, no member shall hold the same post for more than two consecutive terms.

Provided further that a member against whom a disciplinary proceeding is pending shall not be eligible to be an office bearer.

12. Disqualifications of the Office Bearers: It is expected that the Office Bearers of the All Assam Judges Association shall be individuals of unquestionable integrity, balanced temperament, and an unblemished service record.

The following members shall **not be eligible** for election as Office Bearers of the Association:

- (i) Any member against whom a disciplinary proceeding is pending and/or against whom charges have been proved in any disciplinary proceeding.
- (ii) Any member whose integrity is, in the opinion of the Association, considered doubtful based on the relevant materials.

13. Guest House In-charge: One of the Joint Secretaries/ Deputy Secretaries shall be selected by the Executive Committee to be the In-Charge of the Guest House. In case, none of the Joint Secretaries/ Deputy Secretaries is posted at Guwahati, the Executive Committee can choose any officer as Guest House In-charge.

14. Powers and Duties of President: The President shall preside over the General Assembly and the Executive Committee meetings and all executive resolutions shall be signed by the President. That apart, the following are the powers of the President:

- (i) In an emergent situation, the President shall be empowered to take any decision on behalf of the Association.
- (ii) The President shall be empowered to spend an amount not exceeding ₹25,000/- without previous permission of the Executive Committee. However, such expenditure has to be ratified by the Executive Committee within 60 days.

15. Powers and Duties of Vice President: In absence of the President, the senior most Vice President shall preside over the meeting and exercise all such powers as is vested in the President. That apart, the Vice Presidents shall have the following powers:

- (i) The Vice Presidents shall chair various committees constituted from time to time.
- (ii) The Vice Presidents shall perform such other work as is assigned to them by the President/Executive Committee.

- (iii) The Vice President shall be one of the signatory in all resolutions and representations.

16. Powers of the Executive Committee: The Executive Committee shall meet at least once in 3 (three) months, on being convened by the President or the General Secretary.

- (i) The Executive Committee is empowered to take any decision on any matter concerning the Association or its members.
- (ii) The Executive Committee shall concern itself with improving the service conditions of the officers.
- (iii) The Executive Committee shall be empowered to collect funds for the Association.

17. Resignation, Removal and Suspension:

- (i) A member of the General Assembly can tender his resignation from the Association. Such resignation has to be addressed to the President. The Executive Committee shall consider such resignation and pass appropriate orders.
- (ii) A member of the Association can be suspended for non payment of annual fees or for such reasons which the Executive Committee by a 2/3rd majority deems fit and proper.
- (iii) The General Assembly, by simple majority, can remove a member from the primary membership of the Association for reasons to be recorded.

18. MEETING OF THE DISTRICT COMMITTEE:

The District Committees shall meet at least once in two months. The Executive Committee shall exercise general control over the District Committees and Sub Divisional Committees.

19. General Secretary: The General Secretary shall be the Chief Executive Officer of the Association. He shall perform the following functions:

- (i) The General Secretary shall keep minutes of the meeting. He shall be responsible for drafting resolution and representation.
- (ii) All resolutions and representations for the Association has to be signed by the President, at least one Vice President and the General Secretary.
- (iii) The General Secretary may take assistance of Joint Secretaries/ Deputy Secretaries in discharge of his functions.
- (iv) The General Secretary may spend a sum not exceeding ₹10,000/- without the previous approval of the Executive Committee. However, such expenditure should be ratified by the Executive Committee within 60 days.
- (v) The General Secretary shall submit a "Report of Performance" before the General Assembly.

(vi) The General Secretary and Treasurer shall be joint signatories in all financial transactions for and on behalf of the Association.

20. Treasurer: The Treasurer shall be the Chief Financial Officer of the Association and shall keep record of all incomes and expenditures of the Association. He shall perform the following functions amongst others:

(i) The Treasurer shall be the Joint Signatory along with the General Secretary in all financial transactions for and on behalf of the Association.

(ii) The Treasurer shall get the accounts of the Association audited by a Chartered Accountant.

(iii) The Treasurer shall submit his report on income and expenditure to the General Assembly.

21. Joint Secretaries: The Joint Secretaries shall assist the President, Vice Presidents and General Secretary of the Association in the discharge of their functions. They shall perform such other functions as are assigned to them by the Executive Committee.

22. Deputy Secretaries: The Deputy Secretaries shall assist the President, Vice Presidents, General Secretaries and the Treasurer in the discharge of their functions. They shall perform such other functions as are assigned to them by the Executive Committee.

23. Fund of the Association:

- (i) The Association shall maintain its fund in a nationalized bank.
- (ii) The money received and the expenditures made shall be accounted for by the General Secretary and the Treasurer.
- (iii) The Association will engage a Chartered Accountant to audit its fund.
- (iv) There shall be a separate bank account for the Guest House. The in charge of the Guest House shall maintain the account.
- (v) The in charge of the Guest House shall periodically submit a written report to the Treasurer on the fund position, salary and other financial matters of the Guest House.

24. Benevolent Fund:

- i) The General Assembly may create a benevolent fund for the welfare of the members and their families.
- ii) The fund shall consists of the contributions made by the members and grants received from the government.
- iii) The Executive Committee may grant interest free loan to a member, for an amount not exceeding ₹5,00,000/- at a time, in case of medical emergency of the member or his spouse, parents and children.

- iv) The interest free loan may be granted to any ex member in a deserving case, to be decided by the Executive Committee.

25. Amendment of the Constitution:

- i) *Provisions of the Constitution relating to the name of the Association, the composition and powers of the Executive Committee, the qualifications and disqualifications of Office Bearers, and the removal or suspension of members can be amended only by a two-thirds (2/3rd) majority of the members present and voting at a duly convened General Assembly.*
- ii) *All other provisions of the Constitution can be amended by a simple majority of the members present and voting in the General Assembly.*