

## **BYLAWS AND RULES OF ASSOCIATION FOR NOTARIES ASSOCIATION**

1. Name of the Society : **NOTARIES ASSOCIATION**
2. Address of the Society : **26, BELL COLONY, PALAYAMKOTTAI  
TIRUNELVELI – 627 002**
3. Date of Formation : **06.03.2022**
4. Registrar of the District  
within whose jurisdiction the  
office of the Association is situated. : **District Registrar's Office,  
Palayamkottai.**
5. Business hours of the Society : **10.00Am to 8.00Pm.**

### **6. OBJECTIVES OF THE ASSOCIATION:**

1. To Promote and maintain brotherhood and unity among the Notary's.
2. To promote the reform of the administration of justice and of law and its healthy development suitable to the social, economic and other needs of the people.
3. To uphold the honour, the dignity and the independence of the Bar and the profession of law **AND IN PARTICULAR NOTARIES.**
4. To assist the Bar in upholding its rights and dignity in its relation with the executive and the judiciary.
5. To apply the knowledge and experience in the field of law to the promotion of the public good.
6. To promote unity and solidarity among the members of the Bar throughout the country.
7. To take measures for the provision of free legal aid to the poor and the establishment and maintenance of a system of prompt and efficient legal advice to persons irrespective of their capacity to pay.
8. To promote the improvement of legal education to impart instruction in law and to conduct examinations for admission to the Bar.
9. To take measures to provide for financial aid to members of the Bar in strained circumstances and to members of their families on their death;

### **7. THE ACTIVITIES OF THE ASSOCIATION IN FURTHERANCE OF ITS OBJECTS:**

For the furtherance of all or any of the aforesaid objectives the Association shall have power and authority to solicit obtain and accept donations, grants, gifts from donors, State/Central Government.

**8. THE NAME OF THE PERSON OR OFFICER IF ANY AUTHORISE TO SUE OR TO BE SUED ON BEHALF OF THE ASSOCIATION:**

The Secretary is authorized to sue or to be sued on behalf of the Association.

**9. THE NAME OF THE PERSON OR OFFICER WHO IS EMPOWERED TO GIVE DIRECTION IN REGARD TO BUSINESS OF THE ASSOCIATION:**

The President of the Association is empowered to give direction in regard to the business of the Association.

**9.a) Area Of Operation**

At present the society shall operate with in the State of Tamilnadu on need based activities. It is further stated that the operation and activities of the Society is limited within India.

**10) ENROLMENT OF MEMBERS:**

All the Notaries in Tamilnadu and who are interested in the objectives of the Society are eligible to become the members of the Society.

**11. THE ENTRANCE AND OTHER FEES OR SUBSCRIPTION IF ANY TO BE COLLECTED FOR MEMBERS:**

Life Subscription Rs.2000/-  
Annual Subscription Rs.200/-  
Pattern Membership Rs.10,000/-

**12. CESSATION/REMOVAL OF MEMBERSHIP:**

Members can be removed from the membership for valid reasons such as acting against the interest of the Association or acting in violation of any of the terms and conditions provided in the Memorandum of byelaw of the Association. Before being expelled thus, he should be issued a notice giving him a reasonable opportunity of 15 clear days to defend his case. On the above mentioned period, a decision must be drawn convening the Board of Management. The expelled member may appeal to the Board of Management with in 15 days.

**13. RIGHTS, OBLIGATIONS AND PRIVILEGES OF MEMBERS:**

All the members have right to give constructive suggestions for the welfare of the Association. All the members should extend their whole hearted co-operation to carryout the objectives of the Association.

**14. THE MANNER IN WHICH THE ASSOCIATION SHALL TRANSACT ITS BUSINESS:**

The Management of the Society vests with the Executive Committee consisting of 13 members including: 1 President, 2 Vice President, 1 Secretary, 2 Joint Secretary, 1 Treasurer and 6 Executive Committee members.

The member of the Executive Committee hold office for 3 years. They shall be generally elected in the General Body meeting convened in May. In case of vacancies

being created casually they can be filled up by calling special General Body meeting, and till the vacancy is filled up other executive committee members shall look after the affairs.

The Executive Committee Member can resign his post by giving one month's notice to the Executive Committee. Till the resignation is accepted the members will be considered to be in office. The resolution on such matters should be passed in the following general body meeting or any Extra-Ordinary General body meeting.

The executive committee shall meet at least once in 3 months to transact its business during which the resolutions regarding the affairs of the society shall be passed and the accounts of the society from the last date of meeting shall be checked. The quorum of the executive committee has been fixed as 1/3.

The notice of the executive committee meeting shall be sent to the Executive committee members 7 days before the date of meeting, on receipt of which the signature of the members is obtained. The notice should contain the agenda for the meeting. All the executive committee members shall be only Honorary members and no remuneration shall be payable to them.

But in case, the member has to go to other places for carrying out the work of the society they shall be reimbursed the actual travelling expenses up to Rs.100/- towards halting and other expenses after the approval of the Executive Committee which shall expire on 31st May and the new membership take over the charge on 1st June.

## **15. DUTIES AND FUNCTIONS OF THE OFFICERS OF THE SOCIETY**

### **A. PRESIDENT**

1. President shall preside over all the meetings. If he finds any inconvenience then he should ask the Vice President to preside over the meeting.
2. He shall administer the association with the co-operation of the other Executive Committee members under the rules of the society.
3. He shall call all the meetings and announce the Executive/General Body Meetings.

### **B. VICE - PRESIDENT**

Vice-President shall discharge the duties of the President in his absence and he will co-operate and assist in all the works of the president, for the welfare of the Society.

#### **C. SECRETARY**

1. The Secretary shall be the Chief Executive of the society and shall be responsible for the day to day administration of the society and for the proper implementation of such programmes and policies as may be decided by the Executive Committee.
2. He shall convene the Executive Committee Meeting and the General Body Meeting on the directions of the president.
3. The Secretary shall give directions in regard to the business of the society.
4. The Secretary shall record and keep the minutes of every meeting of the society. Such minutes shall be receivable in evidence of the proceedings of the meeting.
5. The Secretary shall be the co-ordinator of all sub-committees.
6. The Secretary shall report on the progress of work and administration of the Society to the Executive Committee.

#### **C. JOINT SECRETARY**

Joint Secretary shall discharge the duties of the Secretary in his absence and he will co-operate and assist in all the works of the Secretary.

#### **D. TREASURER:**

The treasurer shall receive all collections, make payments authorized by the Executive Committee and maintain all accounts.

#### **E. EXECUTIVE COMMITTEE:**

All the Executive Committee Members shall do their utmost to carryout the objectives of the society in the right direction in consultation with President and Secretary.

The General Body has been empowered to expel any Executive Committee members, in case of their not turning up for 3 consecutive Executive Committee Meetings.

#### **16. RECORDS TO BE FILED WITH THE DISTRICT REGISTRAR.**

1. The Audited Income and Expenditure statement, balance sheet.
  2. A declaration form that the society that it was functioning properly during the year ended.
  3. Copy of the minutes of the Annual General Body Meeting.
  4. Members list as on the last date of Financial Year. In form No.6)
- The four (4) documents said above shall be filed with the Registrar within a period of 6 months from date of Annual General Body Meeting.
5. Any change in the Executive Committee shall be intimated within 3 months of such change or changes to the Registrar (In Form No.7)

6. Had there been any admission, removal or resignation of members in the General Body the change shall be intimated within 3 months of such change to the Registrar (In Form 7).

7. Any change of address of the registered office of the Society shall be intimated within 3 months to the District registrar (Filing in Form 5).

## **17. FINANCIAL YEAR**

The financial year of the Society shall be from APRIL TO MARCH. Every year the Annual general Body Meeting shall be held within 6 months after the expiration of the financial year.

## **18. ACCOUNTS & AUDIT.**

The secretary and treasurer of the society shall keep proper books of account and at the expiration of each financial year, prepare a Receipts and Expenditure account and a Balance Sheet and shall cause them to be audited by an auditor or by two or more members of the society (not being members of the committee) appointed by the society and possessing the qualifications prescribed in section 21 of the Tamil Nadu Societies Registration Rules 1978.

19. Copies of by-laws, the receipts and expenditure account and the balance sheet can be had by any member on application on payment of Re.1/- for each which must be attested by the president/Secretary. Any members can see them freely after obtaining prior permission from the president or secretary.

20. Proper enquiry shall be held by the Executive Committee against the member if any loss or damage is caused by them to the society and final decision on this will be taken by the General Body.

## **21. THE FUNDS AND MODE OF CUSTODY APPLICATION & INVESTMENT**

1. The Entrance Fees, Subscription collected from the members, the donations obtained from others Subsidy, or financial assistance got from the Government/Voluntary Organisations within the country or from Abroad or the sources of Income of the Society, will form the investment.

2. Cash upto Rs.2000/- can be had with the Secretary for immediate disbursements.



3. All the other amounts shall be saved in any Bank recommended by the Board of the Management, opening a Saving Bank Account/Current Account in the name of the Society.
4. The Bank Account shall be opened in the name of the society. The President, Secretary and Treasurer shall jointly operate the bank account. Cheque should be jointly signed by Treasurer and President or Secretary. Money can be withdrawn only for the expenses of the Society.
5. Purchases those are made with the funds belonging to the society should be made in the name of the society.
6. Each and every thing bought for the society should be bought in the name of the society and should be maintained properly.
7. The investments of funds of the society shall be invested in accordance with provision of Section 11(5) read with Section 13(1) (d) of the Income Tax Act.

## **22. DAY TO DAY AFFAIRS OF THE SOCIETY:**

Day to day affairs of the society shall be looked after by the Secretary. At present there are no employees. The executive Committee is empowered to employ staff as and when required. The Secretary in the absence of President, Treasurer in the absence of Secretary shall carryout their duties.

## **23. CONDUCT OF ANNUAL GENERAL BODY MEETING**

1. Every year the Annual General Body Meeting should be called in the Month of May, Extra ordinary General Body Meeting can be held when ever required.
2. The notice of the Annual General Body Meeting containing the date, time and venue of the meeting should be sent to all the members before 21 days.
3. The notice may be sent to the members by one or more of the Following modes:
  4. Local delivery or (b) by post (c) by circulation among members or (d) publishing in One or more dailies. The notice shall also be affixed on the notice board.
5. The quorum for the General Body meeting shall be  $\frac{1}{3}$  of the total members of the society.

## **24. EXTRAORDINARY GENERAL BODY MEETING**

- i) In case 1/3 of the total members demand for an extra-ordinary general body meeting within 30 days from the date of receipt of such a notice, the meeting must be held.
- ii) The notice for the Extraordinary General Body Meeting shall be given.
- iii) In case of the President's failure of calling the extraordinary General Body Meeting the requisitions are empowered to call the meeting, them selves mentioned above.
- iv) The Extra Ordinary General Body Meeting can be called when there is a need for change in the rules and regulations of the society and when the proceeding of the society is found to be improper.

**24.A.1.** Special Resolutions shall be passed by a majority of not less than three fourth of the members present at the meetings called for the purpose.

2. For such meeting notice shall be given.

3. The copies of such special resolutions passed as per this bylaw shall filed with the Registrar of the Society within 14 days.

### **B. PROCEEDINGS OF THE GENERAL BODY.**

1. To accept the Audited Balance Sheet.
2. To lay down policies.
3. To implement necessary disciplinary action after proper enquiry.
4. To elect Executive Committee Members once in 3 years.
5. To resolve other convenience after examination.

### **C. PROCEEDINGS OF THE EXECUTIVE COMMITTEE:**

The executive committee shall meet once in 3 months to administer the society. If necessary it may convene more than once.

B. The urgent meeting shall be called for the following reasons in the same manner as the General Body Meeting is held.

1. For cause of Amendments in byelaw changing the name of the society, include extend the objectives of society and any other urgent administrative reasons if any.

2. The urgent meeting shall be called if 1/3rd of the members demand for the meeting in writing within 30 days from the date of receipt of such a notice. In case of the meeting not being held so requisitions shall have power to call the meeting which is legally valid and for this meeting also notice shall be given as of general body meeting.

**25. THE FOLLOWING REGISTERS SHALL BE MAINTAINED IN THE SOCIETY.**

1. Subscription Register.
2. Income and Expenditure Register.
3. Monthly expenditure Register.
4. Ledger
5. Minutes book
6. All expenditure vouchers
7. Receipts book
8. Bank pass Book
9. Members registers.

The above said registers can be seen by the members during business hours of the society free of charge.

26. Any properties or loan bonds bought for the society or sold by the society, then such a transaction should be registered with the registrar.

27. When the society buys or sells anything that belongs to the society, such transaction should be carried out in presence of both the president and secretary for which the prior approval of the general body should be obtained.

28. The Society so formed shall be irrevocable.

29. The objects/ activities of the society shall be carried out only in India.

30. The power given to effect amendment to memorandum of association to the office bearers would not extend to altering the basic character/objects of the society and further no such amendments which may prove to be repugnant to the provision of section 2 (15) 11,12,13, and 80 G of the Income Act shall be made.



31. The society will not function in the nature of conducting of a business activity and not for the purpose of the profit.

32. The investment of the funds of the society shall be made only in accordance with the provisions of section 11(50 read with section 13(1) (d) of the Income Tax Act.

33. The Accounts of the society/Institution shall be regularly maintained and every year the accounts shall be closed by 31st march and the same shall be audited by a qualified Chartered Accountant.

34. The Income and the funds of the Society will fully be utilized towards the objects and no portion of it will be utilized for payment to the members/Office bearers of the society as interest/dividend profit etc.,

35. Any Amendment of the society bye-law will be carried out only with the prior approval of the Commissioner of Income Tax.

36. The benefit of the society is open to all irrespective of caste, creed, sex etc.

37. The objects/activities of the society shall be carried out only in India.

**38. DISSOLUTION OR WINDING UP:**

In the event of dissolution or winding up of the society, the assets remaining as on the date of dissolution shall under no circumstances be distributed among the members but the same shall be transferred to another society or other charitable Institution such as trusts whose objects are similar to those of the society and which enjoys recognition under section 80G of the Income Tax Act.

In all other matter which have not been specifically mentioned herein the provisions of section 27 of the Tamil Nadu Societies Registration Act 1975 and rules made thereunder shall apply.