

BY-LAW OF TAMIL NADU JUDICIAL OFFICERS ASSOCIATION

RECOGNISED UNDER G.O.Ms.No.778 P & AR Dt. 04.07.1978

1. SHORT TITLE

This By-law may be called “ Tamil Nadu Judicial Officers’ Association By-law”. It shall come into force with effect from 29-th September 2001.

2. DEFINITION

In these rules, unless the context requires

i. “Association” means the Tamil Nadu Judicial Officers’ Association.

ii. Judicial Officer means the designation of District Judge (Supertime Scale)/District Judge/Additional District Judge/Chief Judicial Magistrate/Chief Metropolitan Magistrate/Civil Judge (Senior Division) and Civil Judge (Junior Division/Judicial Magistrate First Class) (as mentioned in Tamil Nadu State Judicial Service (Cadre and Recruitment) Rules, 1995.

iii. “High Court” means the Madras High Court.

iv. “Government” means the Tamil Nadu State Government

3. OBJECTS

1. To promote unity and foster Esprit de corps amongst its members.

2. To improve the conditions, status and dignity of Judicial Service integrating into this Association.

3. To promote cultural and social activities amongst its members.

4.To identify, deliberate and solve all problems of common interests

concerning the Judicial Services.

5.To preserve and keep inviolate the basic principles and ideals of justice.

6. To have an effective representation of the members of the Tamil Nadu Judicial Service concerning matters relating to welfare of the Judicial Officers and improvement in service conditions as well as the conditions of work.

7. Maintenance and promotion of the highest standards of integrity, learning, efficiency and character.

4. GENERAL

The Executive Committee is having power to collect funds toward its corpus by way of subscription/donation from the members of the Association, grants from State Government and Central Government and also such other sources which are approved by the Executive Committee and with the prior permission of the High Court for the welfare of the Association.

5. MEMBERSHIP

1. Membership of the Association will be open to all the members of the Tamil Nadu State Judicial Service.

The annual subscription for membership is Rs.200/- to be subscribed in advance before 15th January every year.

Termination of membership : A person shall cease to be a member of this Association as soon as,

a. he dies; or

b. retires, whether voluntarily, compulsorily or on his attaining the age of superannuation; or resigns on his own; or

c. is elevated to the High Court of Judicature; or

d. is expelled from the membership in accordance with the provisions of this By-law;

6. HEAD QUARTERS OF ASSOCIATION

The headquarters of the Association shall be at Chennai with its Office working at II Floor, City Civil Court Additional Buildings, High Court Campus, Chennai – 600104.

7. EXECUTIVE BODY OF THE ASSOCIATION

The office bearers shall be as follows:

i. President – shall be a District Judge (Supertime Scale) or District Judge.

ii. Two Vice Presidents – one shall be a District Judge and other shall be a Civil Judge (Senior Division)

iii. General Secretary – shall be a Civil Judge (Senior Division)

iv. Two Joint Secretaries – shall be Civil Judge (Junior Division/Judicial Magistrate First Class) and one shall be women officer

v. Treasurer – any member of the Association

vi. Members – sixteen Executive Committee members. Four members shall be from the cadre of District Judge or District Judge (Supertime Scale). Four members shall be from the cadre of Civil Judge (Senior Division). Eight members

shall be from the cadre of Civil Judge (Junior Division/Judicial Magistrate First Class) Out of sixteen executive committee members three shall be women officers.

(i) The election to all the posts namely President, two Vice Presidents, General Secretary, two Joint Secretaries, Treasurer and 16 members shall take place biennial at the General Body Meeting of the Association, specially called for this purpose, during the month of January. Normally, there will be two General Body meetings, one in January and another in the middle of the year.

8. TERM OF OFFICE BEARERS

The term of the office bearers is two years from the date of assumption of charge of the respective posts. However, nothing prevents any office bearer from seeking reelection to the post he is holding or to any other post, if he is otherwise eligible any number of times on expiry of the term of the present position he is holding in the Association.

9. COMPOSITION AND POWERS OF THE EXECUTIVE COMMITTEE

(i) There shall be an executive committee of the office bearers and 16 officers are to be elected as its members biennial at the general body meeting of the association.

(ii) The Executive Committee shall be competent to transact all business in connection with the Association and in the name of Association for the Accomplishment of the object of the Association.

(iii) Seven members shall form a quorum and the quorum shall be necessary

for holding an Executive Committee meeting.

(iv) The President and General Secretary together shall have power to fill up and vacancy in the Executive Committee caused during the term and shall also have power to coopt any member (namely, the Judicial Officers) local or otherwise, not exceeding seven in number as additional members of the Executive Committee in extraordinary circumstances that may arise here and there.

(v) The Executive Committee shall have power to expel any of its members or of General Body for any misconduct or for any sufficient reasons by a majority vote of the members of the Committee with two third of the members present and voting.

10. MEETING OF THE EXECUTIVE COMMITTEE

(i) A meeting of the Executive Committee shall be called by the General Secretary in consultation with the President as and when necessary.

(ii) It shall also be called whenever at least seven members of the Executive Committee or fifty members of the Association send a written requisition to the General Secretary stating the object of the meeting Seven days notice shall be given in either case and a meeting convened on written requisition shall be called within 15 days of the receipt thereof by the General Secretary.

(iii) No such notice is necessary when an emergency meeting is called by the General Secretary in consultation with the President.

(iv) A meeting of the Executive Committee shall be called at least once in

every two months and in any case, there should be not less than six Executive Meetings throughout the year.

(v) Any member of the Association may attend a meeting of the Executive Committee but no one, except the members of the Executive Committee, can be permitted to speak on the subject under discussion unless expressly permitted by the President or General Secretary.

(vi) A meeting convened as above can be, without holding, adjourned by the General Secretary after approval by the President on sufficient reasons and giving due intimation to the members to that effect.

11. MEETING OF THE GENERAL BODY

(i) The Annual General Body Meeting of the Association shall be held at Chennai or any other District Headquarters or any other place during the month of January, as per the decision of the Executive Committee.

(ii) The General Secretary after approval by the President may call a General Body Meeting of the Association whenever he so desires. It shall also be called when requested by the Executive Committee or when at least 50 members of the Association send a written requisition stating the object of the meeting.

(iii) The quorum shall consist of 50 members and not less than seven days notice shall be necessary for calling General Body Meeting.

(iv) A meeting convened as above can be, without holding, adjourned by the General Secretary after approval by the president on sufficient reasons and giving

due intimation to the members to that effect.

12. DECISION BY MAJORITY OF VOTES

i) All questions arising at any meeting namely General Body or Executive Committee shall be decided by majority of votes and in case of a tie, the President shall have a casting vote.

ii) The voting shall be by secret ballot unless the majority of the members desires, by raising of hands or any other mode.

13. POWERS AND FUNCTIONS OF PRESIDENT

i) Appointment of Special Sub Committees: The president from time to time can/may appoint any Special Sub Committee for any specific purpose from amongst the members of the Association and shall do so whenever requested by the Executive Committee.

ii) The President may correspond and deal within such matters as may be necessary for the fulfillment of the objects of the Association.

iii) In the absence of the President, the Senior Vice President and in the absence of both, the Junior Vice President shall function as President.

14. POWERS AND FUNCTIONS OF THE GENERAL SECRETARY AND JOINT SECRETARY

i) The General Secretary will be the Executive Officer of the Association. He shall perform the following functions.

a) To keep and maintain proper records and minutes of all the meetings

and other office records.

b) To make representation to the High Court and Government regarding adopted resolutions.

c) To correspond with High Court and Government on the matters that have been considered by the Executive committee and General Body.

d) To make such enquiries and correspond with the High Court and Government for the accomplishment of the objects of the Association.

e) To lay annual report of the Association activities before the Annual Meeting of the General Body.

ii) The General Secretary may delegate all or any of his powers to joint Secretaries or any other officers.

15. POWERS AND FUNCTIONS OF TREASURER

i) The Treasurer shall perform the following functions:

a) To keep account, collect subscription and issue receipts

b) To draw cheques on behalf of the Association

c) To lay yearly account before the Executive Committee and prepare annual account and budget for submission at the Annual General Meeting after being approved by the Executive Committee.

16. FUNDS OF THE ASSOCIATION AND EXPENDITURE THERE ON

i) The President and General Secretary are empowered to sanction an expenditure on any necessary item up to expenditure more than this requires

approval from the Executive Committee.

ii) The funds of the Association shall be deposited in either the post office or savings bank or any other scheduled bank or nationalized bank and approved by the Executive Committee in the name of the Treasurer. All books and registers of the Association shall be open to inspection by any member on proper notice to the General Secretary. This, however, does not apply to the records and registers under the custody of the Treasurer, except on extraordinary circumstances when the consent of both the President and Secretary is necessary for such perusal or inspection. This restriction is imposed in the general interest of the Association.

17. AUDIT

The accounts of the Association shall be audited by a qualified Auditor duly nominated by the President and audit shall be completed by the end of December every year.

18. PROCEDURE FOR ELECTION

The election of office bearers and members of the Executive Committee shall take place at the Annual General Body Meeting of the Association every two years preferably in the month of January. When the 'Election' item is taken up in the meeting, the President shall announce the name of one of its members as Returning Officer who shall receive the nominations signed by nominator and counter signed by the nominee and shall give half an hour time for withdrawal. After that the Returning Officer shall announce the names of the contesting candidates and shall

arrange for election, if necessary, by secret ballots by the members, the Returning Officer shall arrange for counting and declare the results in the open house.

19. AMENDMENT OF THE BY-LAW

Any amendment of the by-law can be made only at a General Body Meeting of the Association convened for that purpose and approved at least by three fourth of the members present.

20. WELFARE FUND

There shall be a welfare fund for the members of the Association and it will function according to the rules as may be framed by the Association.

21. PROMOTION OF CLOSER CONTACTS WITH OTHER JUDICIAL OFFICER'S ASSOCIATION

It shall be the duty of the members of the Executive Body to keep close contact with the Associations of Judicial Officers in other states and to represent this Association in interstate and All India Meetings of the Judicial Officers.

22. DISTRICT BRANCH

1) Composition: Every District will have a District Branch of the Association consisting of all members in the District and its headquarters will be at the seat of the District and Sessions Judge.

2) District Secretary: Chief Judicial Magistrate and if he is not willing or available any senior judicial Officer in the district will be ex-officio Secretary of the District Branch.

3) Functions of the District Branch: The District Branch shall be primary organization through which the Association will achieve its objects. The following will be their chief functions.

b) to foster and strengthen the bond of unity among members by

i) frequent meetings and

ii) social gatherings

c) to act as feeders to the headquarters of the Association by

i) Collecting subscriptions

ii) Enlisting new members

iii) Making proposal for consideration by the Executive committee or the General Body

iv) Expressing opinions on questions sent out from headquarters

v) Keeping the headquarters fully informed of all the happenings of importance, related to the judicial officers excepting the administrative and disciplinary matters

vi) Functions of the District Secretary

a) The District Secretary will arrange all meetings of the District Branch maintain proceeding and send reports about them to headquarters atleast once in two months.

b) Correspond with headquarters on all matters and distribute to members, letters and literature received from there;

c) Communicate promptly retirement and transfers to and from the District and other matters which deserve to be brought to the notice of the Association

23. MEETINGS

Every District Branch will meet as frequently as possible, preferably once a month and every year in the month of November or December, all District Branches in the State will hold annual meeting for the purpose of suggesting proposals for discussion at the ensuing Annual General Meeting of the Association. Senior most member from the Districts will preside over such meetings.

24. REPEALE

The by-laws of Tamil Nadu Judicial Officer's Association drafted and presented to the Government as per G.O.Ms.P & AR No.778 Dt.04th July 1978 is hereby repealed.
