

MEMORANDUM OF ASSOCIATION.

1- The name of the society is "The Uttar Pradesh Judicial Officers' Welfare Fund" (here-in-after called "the Fund").

2- The registered office of the fund shall be at A-1 Judges' compound, River Bank Colony, Lucknow.

3- Objects for which the fund is established.

(i) To create the fund for the benefit of Judicial Officers and their family.

(ii) To provide financial assistance to family of Judicial Officers on his death during service.

(iii) To provide financial assistance to a Judicial Officer who has become permanently disabled resulting in discontinuance of his service as a Judicial Officer.

(iv) To provide financial assistance in the event of serious illness of a Judicial Officer or his spouse or dependent children.

(v) In special circumstances to provide financial assistance to meet the cost of education of the dependent children of Judicial officer subject to the decision of the managing committee.

(vi) Financial assistance to meet the cost of annual medical tests or medical checkups of the member or his spouse or his dependent children in case of serious illness subject to decision of managing committee.

(vii) Such other objects for the welfare of the Judicial Officers and their families as may be considered proper by the management body.

Names and designations of the present members of the Managing committee to whom the management of the affairs are entrusted as required under section 2 of the Societies' Registration Act of 1860.

(ii) The Managing Committee of the Controlling Body shall have an absolute discretion to refuse admission of a person as a member of the fund without assigning any reason what-so-ever.

6- Registration of members.

A register of membership shall be maintained which will contain the name, address and other particulars of every member. At the time of registration of membership a number shall be allotted which shall be used by the member or the dependent in every correspondence with the society.

7- Subscription when payable.

By joining the judicial service every Judicial Officer gets the right to become member of this fund by applying on prescribed form 'A' and depositing membership fee of Rs. 5500/-.

8- Composition of Managing Committee.

(i) The President and Secretary General of U.P. Judicial Services Association shall be ex-officio President and Secretary General of this society.

(ii) The remaining members of the Managing Committee are also ex-officio member of the Managing Committee. The President of U.P. Judicial Services Association is entitled to co-opt two members and at present Sri Pramod Kumar Srivastava, District Judge, Ghazipur and Sri Raghvendra Kumar, District Judge, Unnao have been co-opted as member of the Controlling Body/Managing Committee.

9- Eligibility for membership of the Managing Committee.

Except nominated members of managing committee A person who is a member of controlling body on account of his ex-officio position, shall continue to be the member of the Managing Committee till he holds the post and when he is transferred from the post, he ceases to be the member of Managing Committee and in his place the person who takes over the charge of his post shall become automatically member of the Manging Committee.

Lawful acts of the Managing Committee shall not be invalidated by the reason of a fall in the number of members.

The Managing Committee may act notwithstanding any vacancy in its body except that where the number of its members falls below the quorum necessary for the meeting of the committee.

**10- Casual vacancy.**

Any casual vacancy in the Managing Committee shall automatically be filled by the appointment of a person on the ex-officio position he was holding.

**11- Management of the fund.**

The general management and administration of the fund shall remain vested with the Managing Committee which may delegate any of its powers to committee or committees consisting of such members or members of its body as it thinks fit, but such sub-committee shall in exercise of the powers so delegated conform to any regulations or directions which may be imposed on or given to it by the Managing Committee.

**12- Office bearers.**

President or in his absence Senior Vice President of U.P. Judicial Services Association shall be the Chief Executive Authority of the Fund, but in any meeting of the Managing Committee senior-most Judicial Officer shall preside over the meeting or meetings of the Managing Committee as also the general body meeting of the fund.

The Secretary General of U.P. Judicial Services Association shall be ex-officio Secretary General of the Judicial Officers' Welfare Fund.

Secretary of the U.P. Judicial Officers' Welfare fund shall be the Secretary of U.P. Judicial Services Association at Lucknow who shall also be the Convener of the meeting of the Managing Body.

District Judge, Lucknow shall be the ex-officio Treasurer of the U.P. Judicial Officers Welfare Fund.

13- Treasurer.

The Treasurer of the U.P. Judicial Services Association shall be the Associate Treasurer of the U.P. Judicial Officers' Welfare Fund.

14- Meeting of the Managing Committee.

Meeting of the Managing Committee shall meet at least twice a year on such dates and at such time and place as the President may determine from time to time.

15- Notice.

Notice of at least seven clear days shall be given in writing for every meeting of the Managing Committee stating as far as practicable the business to be transacted at such meeting.

Provided that the President or in his absence the Vice President of U P Judicial Services Association, may in an emergent case, convene a meeting after giving at least three clear days notice in writing.

16- The transaction of business by circulation of resolutions.

(i) Without prejudice to Bye-law 11, the business of the Managing Committee shall ordinarily be transacted at a meeting of the Committee provided that the President, or in his absence the Vice-President may in an appropriate case circulate papers amongst the members of the Managing Committee for the decision of any question or questions, as the case may be.

Provided further that where any three members of the Committee desire that a particular question should be decided in meeting, the President or in his absence the Vice-President shall withdraw the papers from circulation and have the same decided at a meeting of the Committee.

(ii) When the papers relating to any matter are circulated amongst the members, a period of at least 7 days shall elapse before any decision by majority is taken on such matter.



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Provided however, that a majority decision may still be taken before the expiry of the said period, should the view or view of all members be received earlier in writing.

(iii) The decision shall only be effective if the majority of the members express their approval in writing.

84 (iv) Every resolution passed or decision taken by circulation shall be communicated in writing to all the members of the Committee.

**17- Quorum for Committee meetings.**

Any seven members of the Managing Committee shall form the quorum.

**18- Questions to be decided by a majority of votes.**

1- All decisions of the Managing Committee shall be by a majority of votes.

2- In case of equality of votes, the President shall have a casting vote.

**19- Disqualification of member of the managing committee.**

A member of the Managing Committee shall cease to hold office if he absents himself from three consecutive meetings of the Committee without leave of absence previously obtained from the Committee.

**20- Member vacating office.**

The office of a member of the Managing Committee shall stand automatically determined by reason of his transfer, resignation, or incapacity to act for any reason whatsoever.

**21- Removal of the members.**

A member of the Managing Committee may be removed from office by a resolution to that effect, passed at a special meeting of the members of the Fund or at an Annual General Meeting.

**22- Member vacating office to hand over charge.**

A member of the Managing Committee vacating office shall execute and do all things necessary for making over, transferring or otherwise dealing with the property or properties of the Fund, as may be directed by the Managing Committee.

**23- Property of the Fund vested in the managing committee.**

All properties of the Fund vested in the managing committee and shall stand in the name of The U.P. Judicial Officers' Welfare Fund and the property existing in the name of U.P. Judicial Officers' Benevolent Fund Scheme, 1997 shall stand transferred in the name of U.P. Judicial Officers' Welfare Fund from the date, the society is incorporated under the Societies Registration Act.

**24- Joint operation of account.**

Account of the fund shall be operated jointly by Treasurer of the fund and President.

**25- Financial year.**

The financial year of the Fund shall be from 1st April to 31st March.

**26- General Body Meeting.**

The General Body Meeting of the Fund shall be held along with the conference of UPJSA on a date and at the time and place to be determined by the UPJSA.

- (i) To receive and adopt the accounts of the fund.
- (ii) To receive and adopt the report of the Managing Committee on the working and management of the Fund.
- (iii) Any other business or businesses included in the agenda or placed before the meeting with the permission of the President.



27- Notice of General Body Meeting.

Not less than 15 days clear notice shall be given to the members of the Fund of any General Body Meeting mentioning the date, place and time of the meeting and stating the nature of the business or business to be transacted thereat. The report of the Managing Committee on the working of the Fund and the audited statement of accounts for the previous year shall accompany the notice.

28- Special meetings.

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A special meeting of the members of the Fund may be convened at any time by the Managing Committee on his own motion, or upon receipt of a requisition signed by at least three members of the Managing Committee, after giving 15 clear days' notice in writing to that effect. The notice shall state the purpose for which the meeting is proposed to be convened and the date, time and place of such meeting and the provisions contained in the preceding Bye-law shall apply mutatis mutandis.

29- Quorum for general meeting.

The quorum for any meeting of the members of the Fund shall be hundred members present in person at the time appointed for the meeting.

30- Adjournment of meetings when quorum is not present.

If within half an hour of the time appointed for the meeting, a quorum is not present, the meeting if convened upon a requisition as aforesaid, shall stand dissolved but in any other case, it shall stand adjourned to such date, time and place as may be determined by the President by notice given to the members in writing within 15 days from the date of the meeting of which the quorum was not present. If, however, notice, in writing as aforesaid, is not given within the time prescribed above, it shall stand adjourned to the same date in the next month at the same time and place. If at the adjourned meeting, a quorum is not present within half an hour of the time appointed, the members present, whatever their number, shall form a quorum and may transact all the business or businesses for which the meeting was convened.



**31- President of meetings.**

The President of the meetings of Managing Committee shall be the senior-most Officer/Member of the Managing Committee present in the meeting.

**32- Questions to be decided by a majority of votes.**

- (1) All questions before the Annual General Meeting or a Special Meeting shall be determined by a majority of votes.
- (2) In the case of an equality of votes, the President shall have a casting vote.

**33- Minutes of meetings of the fund signed by President shall be conclusive proof.**

The minutes of any meeting of the members of the Fund signed by the President shall be conclusive evidence of the business transacted at the meeting to which the minutes relate and on the minutes being so signed, it shall unless the contrary is proved, be presumed that the meeting was duly convened and held.

**34- Service of notice of meetings.**

(1) A notice of every meetings of the members of the Fund shall be served either personally or by sending it by post addressed to the member concerned at his address as recorded in the Register of Members. A notice shall be deemed to be duly served if sent by post, by properly addressing, prepaying and posting it and unless the contrary is proved, delivery shall be deemed to have effected at the time at which the letter would be delivered in the ordinary course of post or within 48 hours of time of posting whichever is less.

(2) Notwithstanding anything contained in clause (1) above, any notice required to be given under these Bye-laws shall be deemed to have been properly served on all members of the Fund. If such notice is sent to the members electronically or hosted on the web-site of the association or published in the official journal of the association.

**35- No allowances for members attending meeting.**

No member shall be entitled to any fee or travelling

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expenses or other allowances for attending any general meeting, whether annual or special and similarly no member of the Managing Committee shall be entitled to any fee or travelling expenses or other allowances for attending any meeting of the Managing Committee.

**36- Audited statement of accounts and report of committee to be circulated.**

18) The committee shall, at the end of each financial year, present a report on the working of the Fund upto the end of the financial year and circulate it among the members along with the statement of account duly audited.

**37- Auditor.**

Members of the aging committee of the Fund will appoint an Auditor of the fund and if necessary, fix his remuneration.

**38- Audit of accounts.**

Within three months of closing of the year, the Managing Committee shall deliver to the Auditor, the accounts to be produced before the meeting who will audit the accounts, verify the assets of the Fund and make a report in writing of the result of such audit to the members. The report of the auditor shall form part of the statement of accounts to be circulated to the members.

**39- Applications for relief.**

(1) All applications for relief shall be made in writing to the President /Secretary of U P Judicial Services Association or to secretary of Fund at Lucknow and upon receipt thereof the Committee may, in its discretion inquire as to the needs of the applicant and grant such relief as it may deem fit subject to the limits hereinafter laid down. The President shall have power in an appropriate case to grant assistance upto a sum not exceeding the sum of Rs. Two lac which shall be reported to the committee at the next meeting. Subject to the aforesaid conditions, the Secretary shall have similar powers to grant relief in an urgent case upto a sum not exceeding the sum of Rs One Lac. The Managing Committee or the President could consider suo moto any case for grant of immediate financial assistance or on the basis of the information received from the

concerned District Judge, instead of requiring written application on every occasion from the members of the family of deceased member.

(2) In making any grant, the Managing Committee shall have due regard to the income for the previous financial year derived from annual subscriptions, donations and investment of the fund and shall not grant a relief exceeding the income of previous financial year, but this condition be not applicable for F/Y 2012-13.

**40- Managing committee shall have the power to grant or reject applications for relief.**

The Managing Committee may, at its absolute discretion, grant relief in each individual case within the limits prescribed in Bye-law mentioned above or refuse to grant relief to any applicant without assigning any reason or reasons whatsoever.

**41- All provisions of the Societies Registration Act to apply to the fund.**

All the provisions of the Societies Registration Act as extended to the State of U.P. will apply to the Fund.

**42- Power to frame regulations and amend these by laws.**

(1) The Managing Committee shall have power to frame regulations under these bye-laws for regulating its business and proper discharge of its functions.

(2) The Managing Committee may propose such alterations in or addition to, these bye-laws as are not inconsistent with the main purpose for which the Fund has been established.

(3) Any member intending to propose any alteration in or addition to these bye-laws shall give notice in writing of his intention to propose such alteration or addition to the Secretary of the Fund not less than 21 days before the date of the meeting at which such alteration or addition is proposed.